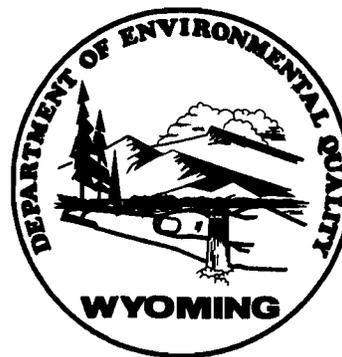


AIR QUALITY DIVISION
CHAPTER 6, SECTION 3
OPERATING PERMIT

WYOMING DEPARTMENT OF
ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
122 West 25th Street
Cheyenne, Wyoming 82002



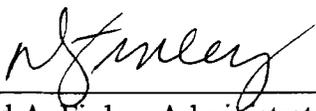
PERMIT NO. 3-1-176

Issue Date: **April 24, 2007**
Expiration Date: **September 28, 2010**
Effective Date: **April 24, 2007**
Replaces Permit No.: **30-176-1**

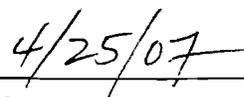
In accordance with the provisions of W.S. §35-11-203 through W.S. §35-11-212 and Chapter 6, Section 3 of the Wyoming Air Quality Standards and Regulations,

Black Hills Bentonite LLC
Mills Complex
Section 6, Township 33 North, Range 79 West
Natrona County, Wyoming

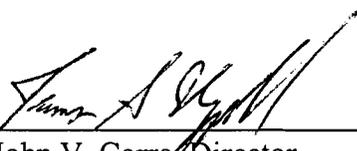
is authorized to operate a stationary source of air contaminants consisting of emission units described in this permit. The units described are subject to the terms and conditions specified in this permit. All terms and conditions of the permit are enforceable by the State of Wyoming. All terms and conditions of the permit, except those designated as not federally enforceable, are enforceable by EPA and citizens under the Act. A copy of this permit shall be kept on-site at the above named facility.



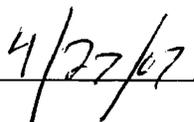
David A. Finley, Administrator
Air Quality Division



Date



John V. Corra, Director
Department of Environmental Quality



Date

WAQSR CHAPTER 6, SECTION 3 OPERATING PERMIT

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY AIR QUALITY DIVISION

TABLE OF CONTENTS

General Information.....	3
Source Emission Points	4
Total Facility Estimated Emissions.....	5
Facility-Specific Permit Conditions.....	6
Facility-Wide Permit Conditions	6
Source-Specific Permit Conditions.....	6
Testing Requirements	7
Monitoring Requirements	8
Recordkeeping Requirements	9
Reporting Requirements	11
WAQSR Chapter 5, Section 2 and 40 CFR Part 60, Subpart OOO Requirements	13
WAQSR Chapter 5, Section 2 and 40 CFR Part 60, Subpart UUU Requirements	15
WAQSR Chapter 7, Section 3, Compliance Assurance Monitoring (CAM) Requirements	17
Compliance Certification and Schedule.....	18
Compliance Certification.....	18
Compliance Schedule.....	18
General Permit Conditions.....	19
State Only Permit Conditions	24
Summary of Source Emission Limits and Requirements	26
Abbreviations.....	32
Definitions.....	33
Appendix A: Baghouse Maintenance Program	
Appendix B: Compliance Assurance Monitoring (CAM) Plans	
Appendix C: 40 CFR Part 60, Subpart OOO	
Appendix D: 40 CFR Part 60, Subpart UUU	
Appendix E: WAQSR Chapter 7, Section 3, Compliance Assurance Monitoring (CAM)	

GENERAL INFORMATION

Company Name: **Black Hills Bentonite LLC**

Mailing Address: **P.O. Box 9**

City: **Mills**

State: **Wyoming**

Zip: **82644**

Plant Name: **Mills Complex**

Plant Location: **Section 6, Township 33 North, Range 79 West, Natrona County, Wyoming
(Mills, Wyoming)**

Plant Mailing Address: **P.O. Box 9**

City: **Mills**

State: **Wyoming**

Zip: **82644**

Name of Owner: **Thomas A. Thorson**

Phone: **(307) 265-3740**

Responsible Official: **Thomas A. Thorson**

Phone: **(307) 265-3740**

Plant Manager/Contact: **Andy Mills**

Phone: **(307) 265-3740**

DEQ Air Quality Contact: **District 2 Engineer
152 N Durbin St., Suite 100
Casper, Wyoming 82601**

Phone: **(307) 473-3455**

SIC Code: **3299**

Description of Process: **After field drying to a moisture content of 10-15 percent, bentonite is delivered from the mine by trucks for processing. Upon arrival at the processing plants (Mills Plant and HT Plant), the bentonite is placed into designated raw bentonite stockpiles. From the stockpiles, front end loaders drop raw bentonite into a Rotary Dryer hopper. The dryers remove additional moisture from the bentonite, leaving the final moisture content at 7-10 percent.**

The dried bentonite is stored in feed tanks and is then screened to various sizes. The oversized material is used for 3/8 inch well plugging material. The smaller screened material is separated into fine and coarse grain material used for kitty litter, or crushed into either granular or powder form. The finished products are loaded into bulk bags, rail cars, or trucks for shipment. All fines collected from the baghouses, drying and screening, are recycled back to the dryer to be reprocessed.

SOURCE EMISSION POINTS

This table may not include any or all insignificant activities at this facility.

SOURCE ID#	SOURCE DESCRIPTION	SIZE*	CH. 6, SEC. 2 PERMITS
1-HT	HT Rotary Dryer with Baghouse	30 MMBtu/hr & 30,000 acfm	MD-365A2
2-HT	10,000 cfm Baghouse	10,000 acfm	CT-1233
3-HT	10,000 cfm Baghouse	10,000 acfm	CT-1233
4-HT	10,000 cfm Baghouse	10,000 acfm	CT-1233
5-HT	10,000 cfm Baghouse	10,000 acfm	CT-1233
1-M	Mills Rotary Dryer with Baghouse	23 MMBtu/hr & 30,000 acfm	MD-1180 & MD-537
2-M	St. Regis Packer Baghouse	23,842 acfm	MD-239A
3-M	Raymond Mill Baghouse	1,884 acfm	MD-239A
4-M	Granular Screen Baghouse	4,000 acfm	MD-239A
5-M	Granular Undersize Tank Baghouse	4,000 acfm	MD-239A
6-M	Mill Hopper Baghouse	1,000 acfm	MD-239A
7-M	Crushed & Dried Storage Tank Baghouse	1,000 acfm	AP-2981
8-M	Rail Car Loadout Baghouse	1,000 acfm	AP-TE2
9-M	Packer Baghouse	4,000 acfm	AP-D58
10-M	North Classifier Baghouse	10,000 acfm	AP-VT1
11-M	Pin mixer Baghouse	10,000 acfm	AP-VT1
12-M	Holeplug Baghouse	10,000 acfm	AP-TE2
13-M	South Classifier Baghouse	10,000 acfm	AP-VT1
14-M	Exterior Screen	12,000 TPY Bentonite	AP-KA2 10/25/02 letter
17-M	30,000 cfm Wall Fan	30,000 cfm	MD-239A
18-M	(3) Ventilation Wall Fans	(2) 41,820 cfm (1) 22,725 cfm	AP-198
19-M	Rotex Granular Screen Baghouse	10,000 acfm	AP-1148
None	Crushed & Dried Stockpile	1000 Tons	MD-1340 & MD-196

* - Size of equipment is not specifically limited by this permit; it is included for information only and is based on information in the permit application.

TOTAL FACILITY ESTIMATED EMISSIONS

For informational purposes only. These emissions are not to be assumed as permit limits.

POLLUTANT	EMISSIONS (TPY)
CRITERIA POLLUTANT EMISSIONS	
Particulate Matter	180.1
PM ₁₀ Particulate Matter	180.1
Sulfur Dioxide (SO ₂)	92.0
Nitrogen Oxides (NO _x)	157.6
Carbon Monoxide (CO)	91.0
Volatile Organic Compounds (VOCs)	1.4
HAZARDOUS AIR POLLUTANT (HAP) EMISSIONS	None

Emissions estimates are based on limitations from WAQSR Ch 6, Sec 2 permits and waivers, and include fugitive emission estimates from Permit MD-1340.

FACILITY-SPECIFIC PERMIT CONDITIONS

Facility-Wide Permit Conditions

- (F1) BENTONITE PRODUCTION [WAQSR Ch 6, Sec 2 Permit MD-1340]
The total bentonite production from the Mills Complex (the Mills and HT plants) shall not exceed 350,000 tons per year (TPY).

Source-Specific Permit Conditions

- (F2) FUGITIVE VISIBLE EMISSION LIMITATIONS [WAQSR Ch 6, Sec 2 Permits CT-1233 & MD-196]
(a) All haul roads and plant work areas shall be treated with water spray or suitable chemical dust suppressant as necessary to control emissions of fugitive dust.
(b) The telescopic chute associated with the outdoor 1,000 ton crushed and dried bentonite stockpile shall be limited to an opacity of 20 percent.
- (F3) VISIBLE EMISSION LIMITATIONS [Ch 6, Sec 2 Permits MD-239A, MD-365A2, MD-537 & CT-1233; Waivers AP-198, AP-D58, AP-VT1, AP-TE2, AP-2981 & AP-1148; 40 CFR Part 60, Subparts OOO and UUU; and an October 25, 2002 Division Letter]
(a) Visible emissions from units 2-HT, 3-HT, 4-HT, 5-HT, 2-M, 4-M, 5-M, 6-M, 7-M, 8-M, 9-M, 10-M, 11-M, 12-M, 13-M, 17-M, 18-M, and 19-M shall not exhibit greater than seven percent opacity.
(b) Visible emissions from units 1-HT, 1-M, and 14-M shall not exhibit greater than ten percent opacity.
(c) Unless a lower limit is specified elsewhere in this permit, visible emissions of any contaminant discharged into the atmosphere from any other single emission source, including unit 3-M, shall not exhibit greater than 20 percent opacity.
- (F4) PARTICULATE EMISSION LIMITATIONS [WAQSR Ch 6, Sec 2 Permits CT-1233, MD-365A2, MD-537 & MD-239A and Waivers AP-D58, AP-2981, AP-1148, AP-TE2 & AP-VT1; 40 CFR Part 60, Subparts OOO & UUU]
Particulate emissions from the units listed in Table I of this permit shall not exceed the specified limits.

Table I: Particulate Emissions Limits				
SOURCE ID#	SOURCE DESCRIPTION	PARTICULATE EMISSION LIMITS		
		gr/dscf	lb/hr	TPY
1-HT	HT Rotary Dryer Baghouse	0.025	6.43	28.2
2-HT	10,000 cfm Baghouse	0.02	1.71	7.51
3-HT	10,000 cfm Baghouse	0.02	1.71	7.51
4-HT	10,000 cfm Baghouse	0.02	1.71	7.51
5-HT	10,000 cfm Baghouse	0.02	1.71	7.51
1-M	Mills Rotary Dryer Baghouse	0.02	3.6	15.8
2-M	St. Regis Packer Baghouse	0.02	1.77	7.8
3-M	Raymond Mill Baghouse	0.04	0.45	2.0
4-M	Granular Screen Baghouse	0.02	0.52	2.3
5-M	Granular Undersize Tank Baghouse	0.02	0.52	2.3
6-M	Mill Hopper Baghouse	0.02	0.14	0.6
7-M	Crushed & Dried Storage Tank Baghouse	0.01	0.2	0.7
8-M	Rail Car Loadout Baghouse	0.02	0.2	0.7

Table I: Particulate Emissions Limits				
SOURCE ID#	SOURCE DESCRIPTION	PARTICULATE EMISSION LIMITS		
		gr/dscf	lb/hr	TPY
9-M	Packer Baghouse	0.02	0.52	2.28
10-M	North Classifier Baghouse	0.01	0.7	
11-M	Pin Mixer Baghouse	0.01	0.7	
12-M	Holeplug Baghouse	0.01	0.7	
13-M	South Clarifier Baghouse	0.01	0.7	
19-M	Rotex Granular Screen Baghouse	0.01	0.9	

- (F5) ROTARY DRYER EMISSION LIMITATIONS [WAQSR Ch 6, Sec 2 Permits MD-365A2 & MD-1180]
 Each Rotary Dryer (units 1-HT and 1-M) shall be limited to NO_x, SO₂ and CO emissions as specified in Table II of this permit.

Table II: Dryer NO _x , SO ₂ and CO Emission Limits										
SOURCE ID#	SOURCE DESCRIPTION	NO _x LIMITS			SO ₂ LIMITS			CO LIMITS		
		lb/MMBtu	lb/hr	TPY	lb/MMBtu	lb/hr	TPY	lb/MMBtu	lb/hr	TPY
1-HT	HT Rotary Dryer		18.0	78.8		15.0	65.7			
1-M	Mills Rotary Dryer	0.8	18.0	78.8	0.3	6.0	26.3	0.4	8.8	38.5

- (F6) ANNUAL COAL USAGE AND STOCKPILE SIZE LIMITATIONS [WAQSR Ch 6, Sec 2 Permits MD-1180 & MD-1340]
 (a) The permittee shall limit the annual coal usage for the Mills Rotary Dryer (unit 1-M) to no more than 6750 TPY.
 (b) The crushed and dried (C&D) stockpile shall not exceed 1,000 tons in size.
- (F7) BAGHOUSE MAINTENANCE REQUIREMENTS [WAQSR Ch 6, Sec 2 Permits CT-1233, MD-537 & MD-365A2]
 The Mills Rotary Dryer baghouse, the HT Rotary Dryer baghouse, and the four 10,000 cfm baghouses (units 1-M, 1-HT, 2-HT, 3-HT, 4-HT, and 5-HT) shall be well maintained and shall operate during all bentonite processing activities.

Testing Requirements

- (F8) ROTARY DRYER EMISSIONS TESTING [W.S. 35-11-110 & Ch 6, Sec 3(h)(i)(C)(I)]
 (a) The permittee shall test the HT Rotary Dryer (unit 1-HT) for SO₂ and NO_x emissions at least once during the term of this permit to assess compliance with the emission limits specified in condition F5 of this permit.
 (b) The permittee shall test the Mills Rotary Dryer (unit 1-M) for SO₂, NO_x and CO emissions at least once during the term of this permit to assess compliance with the emission limits specified in condition F5 of this permit.
 (c) (i) For SO₂ emissions, Methods 1-4 and 6 or 6C shall be used to assess compliance with the limit specified in condition F5. In addition, the permittee shall record coal consumption, coal sulfur content, coal heat content and the calculated sulfur retention.
 (ii) For CO emissions, Methods 1-4 and 10 shall be used to assess compliance with the limit specified in condition F5.
 (iii) For NO_x emissions, Methods 1-4, and 7 or 7E shall be used to assess compliance with the limits specified in condition F5.

- (iv) Unless otherwise specified, testing shall be conducted in accordance with WAQSR Ch 5, Sec 2(h).
 - (d) For any testing required under this condition, the permittee shall provide the Division at least 15 days prior notice of the test date.
- (F9) ADDITIONAL EMISSIONS TESTING [W.S. 35-11-110 & 40 CFR Part 60, Subpart UUU]
- (a) The Division reserves the right to require testing as provided under condition G1 of this permit. Should testing be required:
 - (i) For the affected sources listed in Table III, Condition P60-0001 of this permit, particulate matter emissions and the opacity of visible emissions shall be measured as specified in 40 CFR Part 60, Subpart 000 §60.675.
 - (ii) For visible emissions from other sources, Method 9 shall be used.
 - (iii) For particulate matter emissions from other sources, Methods 1-4 and 5 shall be used. For the HT and Mills Rotary Dryers (units 1-HT & 1-M) the sampling shall follow the requirements of 40 CFR Part 60, Subpart UUU §60.736 including a 2 hour duration for each run and a minimum sample volume of 1.70 dscm for each run.
 - (iv) For NO_x emissions sources, Methods 1-4, and 7 or 7E shall be used.
 - (v) For SO₂ emissions sources, Methods 1-4 and 6 or 6C shall be used.
 - (vi) For CO emission sources, Methods 1-4 and 10 shall be used.
 - (vii) For alternative test methods, or methods used for other pollutants, the approval of the Administrator must be obtained prior to using the test method to measure emissions.
 - (b) Unless otherwise specified, testing shall be conducted in accordance with WAQSR Ch 5, Sec 2(h).

Monitoring Requirements

- (F10) BENTONITE PRODUCTION MONITORING [WAQSR Ch 6, Sec 3(h)(i)(C)(I)]
 The permittee shall monitor the production of bentonite at the Mills Complex, such that compliance with the annual production limit stated in condition F1 of this permit may be determined.
- (F11) FUGITIVE EMISSIONS MONITORING [WAQSR Ch 6, Sec 3(h)(i)(C)(I)]
- (a) The permittee shall monitor the amount, date, and time of water or chemical suppressant application to control fugitive dust on all haul roads and plant work areas.
 - (b) The permittee shall perform, at a minimum, quarterly Method 9 tests on the telescopic chute associated with the outdoor 1,000 ton crushed and dried bentonite stockpile. The Method 9 tests shall be conducted by an observer certified in accordance with Section 3.1 of Method 9 and shall follow the requirements and procedures of Method 9.
- (F12) VISIBLE AND PARTICULATE EMISSIONS MONITORING [WAQSR Ch 6, Sec 2 Permits MD-537 & MD-365A2 and Waiver AP-D58; Ch 6, Sec 3(h)(i)(C)(I); & Ch 7, Sec 3 (c)(ii)]
- (a) The permittee shall monitor visible emissions from the Mills Rotary Dryer and the HT Rotary Dryer (units 1-M and 1-HT) in accordance with the requirements of 40 CFR Part 60, Subpart UUU and Chapter 5, Section 2 of the WAQSR, as described in condition P60-UUU3 of this permit.
 - (b) Visible emissions monitoring for the four 10,000 CFM baghouses and the St. Regis Packer baghouse (units 2-HT, 3-HT, 4-HT, 5-HT, and 2-M) is satisfied by the CAM monitoring required under paragraph (e) of this condition.
 - (c) The permittee shall monitor visible and particulate emissions from the Raymond Mill baghouse, Granular Screen baghouse, Granular Undersize tank baghouse, Mill Hopper baghouse, Crushed & Dried baghouse, Rail Car Loadout baghouse, Packer baghouse, North Classifier baghouse, Pin Mixer baghouse, Holeplug baghouse, South Classifier baghouse, 30,000 cfm Wall Fan, (3) Ventilation Wall Fans, and the Rotex Granular Screen baghouse (units 3-M, 4-M, 5-M, 6-M, 7-M, 8-M, 9-M, 10-M, 11-M, 12-M, 13-M, 17-M, 18-M & 19-M) as follows:
 - (i) The permittee shall monitor visible emissions from each source at minimum, once per week.
 - (ii) The observations shall be conducted by a person who is educated on the general procedures for determining the presence of visible emissions but not necessarily certified to perform Method 9 observations.

- (iii) The permittee shall inspect and maintain the sources controlled by baghouses (units 3-M, 4-M, 5-M, 6-M, 7-M, 8-M, 9-M, 10-M, 11-M, 12-M, 13-M, & 19-M) in accordance with the Baghouse Maintenance Program, attached as Appendix A of this permit. Observation of visible emissions shall be addressed as described in the Baghouse Maintenance Program.
 - (iv) Observation of visible emissions from units 17-M or 18-M shall prompt immediate inspection and, if necessary, corrective action.
 - (d) The permittee shall monitor visible emissions from the Exterior Screen (unit 14-M) at a minimum monthly, using Method 9 tests. The Method 9 tests shall be conducted by an observer certified in accordance with Section 3.1 of Method 9 and shall follow the requirements and procedures of Method 9.
 - (e) The permittee shall adhere to the Compliance Assurance Monitoring (CAM) plan(s), attached as Appendix B of this permit, for particulate emissions from the HT Plant baghouse controlled equipment, the Mills Rotary dryer baghouse and the St. Regis Packer baghouse (units 1-HT, 2-HT, 3-HT, 4-HT, 5-HT, 1-M & 2-M) and shall conduct monitoring as follows:
 - (i) The permittee shall monitor visible emissions from each stack at minimum, once daily.
 - (ii) Observation of any visible emissions from any single unit shall prompt immediate inspection and corrective action, as described in the approved CAM plan.
 - (iii) The permittee shall follow all other applicable requirements under conditions CAM-1 through CAM-4 of this permit.
- (F13) ROTARY DRYER EMISSIONS MONITORING [WAQSR Ch 6, Sec 3(h)(i)(C)(I)]
- (a) Periodic monitoring for NO_x and CO emissions from the Mills Rotary Dryer and the HT Rotary Dryer (units 1-M and 1-HT) shall consist of the once per permit term emissions testing required by condition F8 of this permit.
 - (b) Periodic monitoring for SO₂ emissions from the HT Rotary Dryer (unit 1-HT) and the Mills Rotary Dryer (unit 1-M) shall consist of the following:
 - (i) The permittee shall perform the testing for SO₂ emissions from the dryers as required by condition F8 for comparison with the emission limit specified in condition F5, and to verify the percent sulfur retention of the dry bentonite.
 - (ii) On at least a quarterly basis, the permittee shall obtain a sulfur analysis for the coal used at the Mills Complex (this may be obtained from the coal supplier).
 - (iii) The permittee shall monitor the operating hours and coal consumption for each dryer on a quarterly basis. Using the quarterly coal sulfur content or the highest coal sulfur content observed over the last five years, and the sulfur retention value for the dryer, the permittee will estimate the quarterly average lb/hr SO₂ emission rate to assure the hourly SO₂ emission limit in condition F5 of this permit is not exceeded. The permittee may assume the percent sulfur retention measured during the most recent test required by condition F8.
- (F14) ANNUAL COAL USAGE AND STOCKPILE SIZE LIMITATION MONITORING [WAQSR Ch 6, Sec 3(h)(i)(C)(I); and WAQSR Ch 6, Sec 2 Permit MD-1340]
- (a) The permittee shall monitor the tons of coal consumed in the Mills Rotary Dryer (unit 1-M) for comparison with the coal usage limit specified in condition F6.
 - (b) The permittee shall estimate the size in tons of the crushed and dried stockpile weekly.

Recordkeeping Requirements

- (F15) BENTONITE PRODUCTION RECORDS [WAQSR Ch 6, Sec 2 Permit MD-1340]
 The permittee shall keep records of the bentonite production from the Mills Complex, such that compliance with condition F1 of this permit may be determined. The permittee shall retain on-site at the facility the annual production records for a period of at least five years from the date of the record.
- (F16) FUGITIVE EMISSIONS MONITORING RECORDS [WAQSR Ch 6, Sec 3(h)(i)(C)(II)]
- (a) The permittee shall maintain records of the type of dust suppressants used, amount of water and/or chemical dust suppressant applied in gallons, and the date and time of each application, such that compliance with condition F2 of this permit may be determined.

- (b) The permittee shall record the results of the quarterly Method 9 tests on the telescopic chute associated with the outdoor 1,000 ton crushed and dried bentonite stockpile in accordance with Section 2.2 of Method 9. Any corrective measures taken shall also be recorded.
 - (c) The permittee shall retain on-site at the facility the records of each measurement, application, or observation and support information for a period of at least five years from the date of the record.
- (F17) EMISSIONS MONITORING AND TESTING RECORDS [WAQSR Ch 6, Sec 3(h)(i)(C)(II); and Ch 7, Sec 3(i)(ii)]
- (a) For any testing required under conditions F8 or F9 of this permit, other than Method 9 observations, the permittee shall record, as applicable, the following:
 - (i) The date, place, and time of sampling or measurements;
 - (ii) The date(s) the analyses were performed;
 - (iii) The company or entity that performed the analyses;
 - (iv) The analytical techniques or methods used;
 - (v) The results of such analyses;
 - (vi) The operating conditions as they existed at the time of sampling or measurement; and
 - (vii) If the sources monitored under conditions F8 or F9 require adjustment, the permittee shall record both the “as found” and the “as adjusted” emission measurements.
 - (b) For the SO₂ testing required by condition F8, the permittee shall also record the following:
 - (i) The sulfur content of the coal used during the test; and
 - (ii) The calculated sulfur retention of the bentonite and how it was derived.
 - (c) For any Method 9 observations required under conditions F9 and F12(d), the permittee shall keep field records in accordance with Section 2.2 of Method 9. For condition F12(d), if the exterior screen is not operated during a calendar month, that shall be so noted.
 - (d) For the visible emissions monitoring required under condition F12(c) and (e) of this permit, the permittee shall record, as applicable, the following:
 - (i) The date, place, and time of the observation;
 - (ii) The company or entity that performed the observation;
 - (iii) The observation results; and
 - (iv) The operating conditions as they existed at the time of the observation.
 - (e) For the CAM required under condition F12(e), the permittee shall also maintain records of:
 - (i) Information on the number, duration, and cause of excursions, as applicable; and
 - (ii) Any written Quality Improvement Plan (QIP) required pursuant to WAQSR Chapter 7, Section 3(h), any activities undertaken to implement a QIP, and other supporting information required to be maintained under WAQSR Chapter 7, Section 3.
 - (f) The permittee shall record any corrective actions performed as a result of observing visible emissions or detecting non-compliance with opacity limits.
 - (g) The permittee shall retain on-site at the facility the records of each test, measurement, or observation and support information for a period of at least five years from the date of the test, measurement, or observation.
- (F18) ANNUAL COAL USAGE, CALCULATED SO₂ EMISSIONS, AND STOCKPILE SIZE RECORDS [WAQSR Ch 6, Sec 2 Permits MD-1180 & MD-1340 and Ch 6, Sec 3 (h)(i)(C)(II)]
- (a) The permittee shall record the annual amount of coal consumed in the Mills Rotary Dryer (unit 1-M).
 - (b) The permittee shall record the operating hours, coal consumption, and feed coal sulfur content for the Mills Rotary Dryer and for the HT Rotary Dryer (units 1-M and 1-HT). The permittee shall also record the SO₂ retention factor for bentonite for each dryer and how it was derived, as well as the average quarterly SO₂ emission rate in pounds per hour (lb/hr) for each dryer and all associated calculations.
 - (c) The permittee shall record the weekly estimate of the size in tons of the crushed and dried stockpile. The records shall include all information used to make the estimation.
 - (d) The permittee shall retain on-site at the facility the records required by this condition and all support information for a period of at least five years from the date of the record.

- (F19) **BAGHOUSE OPERATION AND MAINTENANCE RECORDS [WAQSR Ch 6, Sec 3 (h)(i)(C)(II)]**
- (a) The permittee shall record the date, time and duration of any event during which a baghouse was not in operation while bentonite was being processed by the source it is intended to control.
 - (b) The permittee shall record all maintenance activities performed on each baghouse (units 1-HT, 2-HT, 3-HT, 4-HT, 5-HT, 1-M, 2-M, 3-M, 4-M, 5-M, 6-M, 7-M, 8-M, 9-M, 10-M, 11-M, 12-M, 13-M and 19-M).
 - (c) The record of maintenance activities shall include:
 - (i) The maintenance activity performed;
 - (ii) The date and place the activity was performed;
 - (iii) The company and individual(s) that performed the activity;
 - (iv) The purpose of the activity; and
 - (v) An explanation for any deviations from the Baghouse Maintenance Program attached as Appendix A of this permit.
 - (d) The permittee shall retain on-site at the facility the records described in this condition for a period of at least five years from the date of the inspection or maintenance activity.

Reporting Requirements

- (F20) **BENTONITE PRODUCTION AND COAL USAGE REPORTS [WAQSR Ch 6, Sec 3(h)(i)(C)(III)]**
- (a) The permittee shall report the following to the Division by January 31 and July 31 each year:
 - (i) The calendar year to date bentonite production from the Mills Complex.
 - (ii) The calendar year to date amount of coal consumed in the Mills Rotary Dryer (unit 1-M).
 - (b) All instances of deviations from the conditions of this permit must be clearly identified in each report.
 - (c) The report shall be submitted in accordance with condition G4 of this permit.
- (F21) **FUGITIVE EMISSIONS REPORTS [WAQSR Ch 6, Sec 3(h)(i)(C)(III)]**
- (a) A summary of fugitive dust emission control measures applied to all haul roads and plant work areas shall be reported to the Division by January 31 and July 31 each year for the previous calendar semiannual period.
 - (b) All instances of deviations from the conditions of this permit must be clearly identified in each report.
 - (c) The semiannual reports shall include the information from the fugitive emissions monitoring records kept in accordance with condition F16(a) of this permit and shall be submitted in accordance with condition G4 of this permit.
- (F22) **MONITORING AND TEST REPORTS [WAQSR Ch 6, Sec 3 (h)(i)(C)(III) & Ch 7, Sec 3 (i)(ii)]**
- (a) The permittee shall report to the Division by January 31 and July 31 each year the results of the emissions and stockpile size monitoring required by conditions F11, F12, F13, and F14 of this permit. Each report shall include the following:
 - (i) Summary results of the weekly visible emissions monitoring required under condition F12(c) of this permit. Only monitoring during which visible emissions are observed shall be included in the report, with a description of the source involved; the date, time, and duration of visible emissions; the cause of the emissions, and the corrective actions taken. If no visible emissions are observed during the reporting period, that shall be stated.
 - (ii) For the quarterly visible emissions monitoring of fugitive emissions from the telescopic chute required under condition F11(b), and the monthly visible emissions monitoring of the Exterior Screen (unit 14-M) required under condition F12(d):
 - (A) The magnitude of any excess opacities, the date and time of commencement and completion of the Method 9 observation period, and the process operating parameters at the time of the observation.
 - (B) Any corrective measures taken upon observing visible emissions from the telescopic chute or the Exterior Screen.
 - (C) When no excess opacities have been recorded, such a statement shall be made in the report.
 - (iii) The results of CAM required under condition F12(e) of this permit for particulate emissions from units 1-HT, 2-HT, 3-HT, 4-HT, 5-HT, 1-M, and 2-M shall include the following:
 - (A) Summary information on the number, duration, and cause of excursions, as applicable, and the corrective actions taken;

- (B) A description of the action taken to implement a QIP (if required) during the reporting period as specified in Chapter 7, Section 3 (h). Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has reduced the likelihood of similar excursions.
 - (C) If no excursions occurred during this reporting period, this shall be stated in the report.
 - (iv) The average SO₂ emission rate in pounds per hour (lb/hr) for the Mills Rotary Dryer and for the HT Rotary Dryer (units 1-M and 1-HT) calculated for each calendar quarter of the reporting period.
 - (v) Summary results of the weekly estimate of the crushed and dried stockpile size required under condition F14 of this permit. Only time periods during which stockpile size is estimated to exceed the 1,000 ton limit shall be included in the report. If the stockpile was never estimated to exceed the tonnage limit, this shall also be stated in the report.
 - (b) The permittee shall report the results of the NO_x, SO₂, and CO emissions testing required under condition F8 of this permit, and any additional testing required under condition F9 of this permit, within 45 days of conducting the tests. The reports shall include all information recorded in accordance with condition F17(a) and (b) of this permit.
 - (c) All instances of deviations from the conditions of this permit must be clearly identified in each report.
 - (d) The reports shall be submitted in accordance with condition G4 of this permit.
- (F23) BAGHOUSE OPERATION AND MAINTENANCE REPORTS [WAQSR Ch 6, Sec 3(h)(i)(C)(III)]
- (a) The permittee shall report to the Division by January 31 and July 31 each year, whether the permittee has adhered to the Baghouse Maintenance Program, attached as Appendix A of this permit, for the baghouses not subject to CAM requirements (units 3-M, 4-M, 5-M, 6-M, 7-M, 8-M, 9-M, 10-M, 11-M, 12-M, 13-M, and 19-M).
 - (i) If the permittee has adhered to the Baghouse Maintenance Program, this shall be stated in the report.
 - (ii) Any deviations from the Baghouse Maintenance Program shall be clearly identified in the report.
 - (iii) The report shall include the date, time and duration of any event during which a baghouse was not in operation while bentonite was being processed by the source it is intended to control.
 - (b) The semiannual reports shall be submitted in accordance with condition G4 of this permit.
- (F24) REPORTING EXCESS EMISSIONS & DEVIATIONS FROM PERMIT REQUIREMENTS [WAQSR Ch 6, Sec 3(h)(i)(C)(III)]
- (a) General reporting requirements are described under the General Conditions of this permit. The Division reserves the right to require reports as provided under condition G1 of this permit.
 - (b) Emissions which exceed the limits specified in this permit and that are not reported to the Division under a different condition of this permit, shall be reported annually with the emission inventory unless specifically superseded by condition G17, condition G21, or other condition(s) of this permit. The probable cause of such exceedance, the duration of the exceedance, the magnitude of the exceedance, and any corrective actions or preventative measures taken shall be included in this annual report. For sources and pollutants which are not continuously monitored, if at any time emissions exceed the limits specified in this permit by 100 percent, or if a single episode of emission limit exceedance spans a period of 24 hours or more, such exceedance shall be reported to the Division within one working day of the exceedance. (Excess emissions due to an emergency shall be reported as specified in condition G17. Excess emissions due to abnormal conditions or equipment malfunction shall be reported as specified in condition G21.)
 - (c) Any other deviation from the conditions of this permit shall be reported to the Division in writing within 30 days of the deviation or discovery of the deviation.

**WAQSR CHAPTER 5, SECTION 2 NEW SOURCE PERFORMANCE STANDARDS (NSPS)
AND 40 CFR PART 60, SUBPART OOO REQUIREMENTS**

(Subpart OOO is provided in Appendix C)

- (P60-0001) 40 CFR PART 60, SUBPART OOO REQUIREMENTS [40 CFR Part 60, Subpart OOO; WAQSR Ch 5, Sec 2; WAQSR Ch 6, Sec 2 Permits CT-1233 & MD-239A and Waivers AP-D58, AP-2981, AP-1148, AP-TE2, & AP-VT1; and an October 25, 2002, Division Letter]
- (a) The permittee shall meet all requirements of WAQSR Ch 5, Sec 2 and 40 CFR Part 60, Subpart OOO as they apply to the following at nonmetallic mineral processing plants, with the exceptions described in §60.670(d):
- (i) The sources listed in Table III of this permit;
 - (ii) Each crusher, grinding mill, screening operation, bucket elevator, belt elevator, bagging operation, storage bin, or enclosed truck or railcar loading system that commenced construction, reconstruction or modification after August 31, 1983; and
 - (iii) Any other affected facility under Subpart OOO.

TABLE III: 40 CFR PART 60, SUBPART OOO SOURCES			
Source ID#	Source Description	Source ID#	Source Description
2-HT	10,000 cfm Baghouse #2	8-M	Rail Car Loadout Baghouse
3-HT	10,000 cfm Baghouse #3	9-M	Packer Baghouse
4-HT	10,000 cfm Baghouse #4	10-M	North Classifier Baghouse
5-HT	10,000 cfm Baghouse #5	11-M	Pin Mixer Baghouse
2-M	St. Regis Packer Baghouse	12-M	Holeplug Baghouse
4-M	Granular Screens Baghouse	13-M	South Clarifier Baghouse
5-M	Granular Undersize Tank Baghouse	14-M	Exterior Screen
6-M	Mill Hopper Baghouse	19-M	Rotex Granular Screen Baghouse
7-M	Crushed & Dried Storage Tank Baghouse		

- (b) The permittee shall meet all standards for particulate matter as specified:
- (i) For sources listed in Table III of this condition, compliance with the opacity limits in condition F3 or the particulate emission limits in Table I of this permit is considered compliance with §60.672 (a)(1) and (a)(2).
 - (ii) Stack emissions from any source described in paragraph (a)(ii) of this condition and stack emission from any transfer point on belt conveyors shall meet the requirements of §60.672(a).
 - (iii) Fugitive emissions from any transfer point on belt conveyors and any other source described in paragraph (a)(ii) of this condition shall not exhibit greater than 10 percent opacity, except as provided in §60.672(c), (d) and (e).
 - (iv) Particulate matter emissions from sources subject to Subpart OOO shall meet all other applicable requirements of §60.672.
- (c) The permittee shall determine compliance with the particulate matter standards in paragraph (b) of this condition by conducting testing as required by §60.675.

(P60-0002) RECORDKEEPING AND REPORTING

[WAQSR Ch 5, Sec 2 (g)(ii) and (g)(v) and 40 CFR Part 60, Subpart OOO]

- (a) The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the sources listed in condition P60-0001(a) of this permit; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

- (b) The permittee shall maintain records of all measurements, reports, and other information required by the P60 conditions of this permit in a permanent form suitable for inspection. These records shall be retained on-site at the facility for a period of at least five years from the date such records are generated.
- (c) The permittee shall submit any reports and notifications required by §60.676.

(P60-0003) GOOD AIR POLLUTION CONTROL PRACTICE [WAQSR Ch 5, Sec 2 (i)(iv)]

At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the sources listed in condition P60-0001(a) of this permit including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions.

WAQSR CHAPTER 5, SECTION 2 NEW SOURCE PERFORMANCE STANDARDS (NSPS)
AND 40 CFR PART 60, SUBPART UUU REQUIREMENTS

(Subpart UUU is provided in Appendix D)

(P60-UUU1) SUBPART UUU REQUIREMENTS [WAQSR Ch 5, Sec 2; Ch 6, Sec 2 Permits MD-537 and MD-365A2; and 40 CFR Part 60, Subpart UUU]

The permittee shall meet all requirements of WAQSR Ch 5, Sec 2 and 40 CFR Part 60, Subpart UUU as they apply to the HT Rotary Dryer and the Mills Rotary Dryer (units 1-HT and 1-M).

- (a) The permittee shall meet all standards for particulate matter as specified in §60.732. Compliance with the opacity and particulate emission limits in conditions F3(b) and F4 of this permit is considered compliance with §60.732 (a) and (b).
- (b) At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the HT Rotary Dryer and the Mills Rotary Dryer (units 1-HT and 1-M) including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

(P60-UUU2) PERFORMANCE TESTING AND INITIAL COMPLIANCE DEMONSTRATION REQUIREMENTS [WAQSR Ch 5, Sec 2(h), (i), and (j) and 40 CFR Part 60, Subpart UUU]

The permittee shall meet the testing requirements under WAQSR Ch 5, Sec 2(h) and (i) and §60.736(a) and (b) when conducting any testing required under condition F9.

(P60-UUU3) MONITORING REQUIREMENTS [WAQSR Ch 5, Sec 2(g) and (j) and 40 CFR Part 60, Subpart UUU]

The permittee shall monitor visible emissions from the Mills Rotary Dryer and the HT Rotary Dryer (units 1-M and 1-HT) as specified in either (a) or (b) below.

- (a) The permittee shall perform three six-minute Method 9 tests each day of operation on the emissions from each dryer. The Method 9 tests shall be conducted by an observer certified in accordance with Section 3.1 of Method 9 and shall follow the requirements and procedures of Method 9.
- (b) The permittee shall install, calibrate, maintain, and operate a Continuous Opacity Monitoring System (COMS) on each dryer, to measure and record the opacity of emissions discharged into the atmosphere from units 1-M and 1-HT.
 - (i) If COMS are installed to comply with this condition, verification of operational status shall, at a minimum, include completion of manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.
 - (ii) Prior to using a COMS for compliance monitoring, the permittee shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, 40 CFR Part 60, Appendix B.
 - (A) The permittee shall furnish written notification to the Division, in accordance with condition G4, of the date upon which the COMS performance evaluation is expected to commence. This notification shall be postmarked not less than 30 days prior to such date.
 - (B) The permittee shall furnish to the Division, in accordance with condition G4, a written report of the results of the COMS performance evaluation within 60 days of its completion.
 - (iii) The COMS shall be operated as follows:
 - (A) The permittee shall check the zero (or low-level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) and calibration drifts at least once daily in accordance with a written procedure.
 - (B) The zero and span shall, at a minimum, be adjusted whenever the 24-hour zero drift or 24-hour span drift exceeds two times the limits in Performance Specification 1 in 40 CFR Part 60, Appendix B. The system must allow the amount of excess zero and span drift measured at the 24-hour interval checks to be recorded and quantified, whenever specified.
 - (C) The optical surfaces exposed to the effluent gases shall be cleaned prior to performing the zero and span drift adjustments; except that for systems using automatic zero adjustments, the optical surfaces shall be cleaned when the cumulative zero compensation exceeds 4 percent opacity.
 - (D) Minimum procedures shall include a method for producing a simulated zero opacity condition and an upscale (span value) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such

procedures shall provide a system check of the analyzer internal optical surfaces and all electronic circuitry including the lamp and the photodetector assembly.

- (iv) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments, all COMS shall be in continuous operation and shall complete a minimum of one cycle of sampling and analyzing for each successive ten-second period and one cycle of data recording for each successive six-minute period.
- (v) Monitoring data from the COMS shall be reduced to six-minute averages, calculated from 36 or more data points equally spaced over each six minute period. Data recorded during periods of system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data output of all COMS may be recorded in a reduced or non-reduced form. All excess emissions shall be converted to percent opacity; the data may be rounded to the nearest one percent opacity.
- (vi) The COMS shall meet all other requirements of WAQSR Ch 5, Sec 2 and 40 CFR Part 60, Subpart UUU.

(P60-UUU4) RECORDKEEPING [WAQSR Ch 5, Sec 2 (g)(ii), (iii), and (v)]

- (a) For any Method 9 observations required under condition P60-UUU3(a), the permittee shall keep field records in accordance with Section 2.2 of Method 9.
- (b) The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the HT Rotary Dryer and the Mills Rotary Dryer (units 1-HT and 1-M); any malfunction of the air pollution control equipment; the date and time identifying each period during which any COMS was inoperative, except for zero and span checks, and the nature of the system repairs.
- (c) The permittee shall maintain records of all measurements, including COMS and performance testing measurements; all COMS performance evaluations; all COMS calibration checks; adjustments and maintenance performed on the COMS; reports, and any other information required by the P60 conditions of this permit.
- (d) Any corrective measures performed as a result of monitoring visible emissions in excess of the limitation in F3(b) shall also be recorded.
- (e) The permittee shall retain on-site at the facility, recorded in a permanent form suitable for inspection, the records of each test, measurement, or observation and support information for a period of at least five years from the date such records are generated.

(P60-UUU5) SUBPART UUU REPORTING [WAQSR Ch 5, Sec 2 (g)(i) and (iii) and 40 CFR Part 60, Subpart UUU]

- (a) The permittee shall submit an excess emissions (as defined in paragraph (b) of this condition) and monitoring systems performance report to the Division by January 31 and July 31 each year for the visible emissions monitoring of the Rotary Dryers. For each unit, written reports shall be in a format approved by the Division and shall include the following information:
 - (i) The magnitude of the excess opacities, any conversion factors used, the date and time of commencement and completion of each time period of excess emissions, and the process operating parameters at the time of the excess opacities.
 - (ii) The process operating time during the reporting period.
 - (iii) Specific identification of each period of excess opacity that occurs during start-ups, shutdowns, or malfunctions of the rotary dryers, the nature and cause of any malfunction (if known), and the corrective action taken or preventative measures adopted.
 - (iv) For COMS, the date and time identifying each period during which a COMS was inoperative except zero and span checks, and the nature of the system repairs or adjustments.
 - (v) When no excess emissions have occurred or the COMS have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- (b) For the purposes of reporting under this paragraph, excess emissions are defined as all 6-minute periods during which the average opacity from either of the baghouses on the Mills Rotary Dryer or the HT Rotary Dryer (units 1-M and 1-HT) is greater than 10 percent.
- (c) The permittee shall submit any other reports or notifications required by WAQSR Ch 5, Sec 2 and Subpart UUU.
- (d) The reports and notifications shall be submitted to the Division in accordance with condition G4 of this permit.

WAQSR CHAPTER 7, SECTION 3
COMPLIANCE ASSURANCE MONITORING (CAM) REQUIREMENTS

(Chapter 7, Section 3 is provided in Appendix E)

- (CAM-1) **COMPLIANCE ASSURANCE MONITORING REQUIREMENTS [WAQSR Ch 7, Sec 3(b) and (c)]**
The permittee shall follow the CAM plans attached as Appendix B of this permit and meet all CAM requirements of WAQSR Chapter 7, Section 3 as they apply to the HT Plant baghouse controlled equipment, the Mills Rotary Dryer baghouse and the St. Regis Packer baghouse (units 1-HT, 2-HT, 3-HT, 4-HT, 5-HT, 1-M & 2-M). Compliance with the source specific monitoring, recordkeeping, and reporting requirements of this permit meets the monitoring, recordkeeping, and reporting requirements of WAQSR Chapter 7, Section 3, except for additional requirements specified under conditions CAM-2 through CAM-4.
- (CAM-2) **OPERATION OF APPROVED MONITORING [WAQSR Ch 7, Sec 3 (g)]**
- (a) At all times, the permittee shall maintain the monitoring under this section, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
 - (b) Except for monitoring malfunctions, associated repairs, and required quality assurance or control activities, the permittee shall conduct all monitoring in continuous operation (or at all required intervals) at all times that the pollutant specific emissions unit is operating.
 - (c) Upon detecting an excursion, the permittee shall restore operation of each baghouse controlled emission unit to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices. The response shall include minimizing the period of any start-up, shutdown, or malfunction and taking any corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion.
 - (d) If the permittee identifies a failure to achieve compliance with an emission limit for which the monitoring did not provide an indication of an excursion while providing valid data, or the results of compliance or performance testing documents a need to modify the existing indicator ranges, the permittee shall promptly notify the Division and, if necessary, submit a proposed modification to this permit to address the necessary monitoring changes.
- (CAM-3) **QUALITY IMPROVEMENT PLAN (QIP) REQUIREMENTS [WAQSR Ch 7, Sec 3 (h)]**
- (a) If the Division or the EPA Administrator determines, based on available information, that the permittee has used unacceptable procedures in response to an excursion or exceedance, the permittee may be required to develop and implement a Quality Improvement Plan (QIP).
 - (b) If required, the permittee shall maintain a written QIP and have it available for inspection.
 - (c) The plan shall include procedures for conducting one or more of the following:
 - (i) Improved preventative maintenance practices.
 - (ii) Process operation changes.
 - (iii) Appropriate improvements to control methods.
 - (iv) Other steps appropriate to correct control.
 - (v) More frequent or improved monitoring (in conjunction with (i) - (iv) above).
 - (d) If a QIP is required, the permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the Division if the period for completing the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.
 - (e) Following the implementation of a QIP, upon any subsequent determination under paragraph (a) above, the Division may require the permittee to make reasonable changes to the QIP if the QIP failed to address the cause of control device problems, or failed to provide adequate procedures for correcting control device problems as expeditiously as practicable.
 - (f) Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limit(s) or any existing monitoring, testing, reporting, or recordkeeping requirements that may be applicable to the facility.
- (CAM-4) **SAVINGS PROVISIONS [WAQSR Ch 7, Sec 3 (j)]**
Nothing in the CAM regulations shall excuse the permittee from compliance with any existing emission limit or standard, or any existing monitoring, testing, reporting, or recordkeeping requirement that may be applicable to the facility.

COMPLIANCE CERTIFICATION AND SCHEDULE

Compliance Certification: [WAQSR Ch 6, Sec 3 (h)(iii)(E)]

- (C1) (a) The permittee shall submit by January 31 each year a certification addressing compliance with the requirements of this permit. The certification shall be submitted as a stand-alone document separate from any monitoring reports required under this permit.
- (b) (i) For the bentonite production limit, the permittee shall assess compliance with condition F1 by reviewing the records kept in accordance with condition F15 of this permit.
- (ii) For fugitive visible emissions, the permittee shall assess compliance with condition F2 by conducting the monitoring required by condition F11, and by reviewing the records kept in accordance with condition F16 of this permit.
- (iii) For visible and particulate emissions, the permittee shall assess compliance with conditions F3 and F4 by conducting the monitoring required by condition F12.
- (iv) For the SO₂, NO_x and CO emissions, the permittee shall assess compliance with condition F5 by performing the emissions testing required by condition F8, and by conducting the monitoring required by condition F13 of this permit.
- (v) For the coal usage and stockpile size limitations, the permittee shall assess compliance with condition F6 by conducting the monitoring required by condition F14 of this permit.
- (vi) For operation and maintenance of each baghouse controlled emission unit, the permittee shall assess compliance with condition F7 by reviewing records kept in accordance with condition F19 of this permit.
- (vii) The permittee shall assess compliance with condition P60-0001 of this permit by reviewing the records maintained in accordance with condition P60-0002.
- (viii) The permittee shall assess compliance with condition P60-UUU1 by conducting the monitoring required by condition P60-UUU3.
- (c) The compliance certification shall include:
- (i) The permit condition or applicable requirement that is the basis of the certification;
- (ii) The current compliance status;
- (iii) Whether compliance was continuous or intermittent; and
- (iv) The methods used for determining compliance.
- (d) For any permit conditions or applicable requirements for which the source is not in compliance, the permittee shall submit with the compliance certification a proposed compliance plan and schedule for Division approval.
- (i) (e) The compliance certification shall be submitted to the Division in accordance with condition G4 of this permit and to the Assistant Regional Administrator, Office of Enforcement, Compliance, and Environmental Justice (8ENF-T), U.S. EPA - Region VIII, 1595 Wynkoop Street, Denver, Colorado 80202-1129.
- (f) Determinations of compliance or violations of this permit are not restricted to the monitoring requirements listed in paragraph (b) of this condition; other credible evidence may be used.

Compliance Schedule: [WAQSR Ch 6, Sec 3 (h)(iii)(C) and (D)]

- (C2) The permittee shall continue to comply with the applicable requirements with which the permittee has certified that it is already in compliance.
- (C3) The permittee shall comply in a timely manner with applicable requirements that become effective during the term of this permit.

GENERAL PERMIT CONDITIONS

Powers of the Administrator: [W.S. 35-11-110]

- (G1) (a) The Administrator may require the owner or operator of any point source to complete plans and specifications for any application for a permit required by the Wyoming Environmental Quality Act or regulations made pursuant thereto and require the submission of such reports regarding actual or potential violations of the Wyoming Environmental Quality Act or regulations thereunder.
- (b) The Administrator may require the owner or operator of any point source to establish and maintain records; make reports; install, use and maintain monitoring equipment or methods; sample emissions, or provide such other information as may be reasonably required and specified.

Permit Renewal and Expiration: [WAQSR Ch 6, Sec 3(c)(i)(C), (d)(ii), (d)(iv)(B), and (h)(i)(B)] [W.S. 35-11-206(f)]

- (G2) This permit is issued for a fixed term of five years. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted at least six months prior to the date of permit expiration. If the permittee submits a timely and complete application for renewal, the permittee's failure to have an operating permit is not a violation of WAQSR Chapter 6, Section 3 until the Division takes final action on the renewal application. This protection shall cease to apply after a completeness determination if the applicant fails to submit by the deadline specified in writing by the Division any additional information identified as being needed to process the application.

Duty to Supplement: [WAQSR Ch 6, Sec 3(c)(iii)]

- (G3) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after this permit is issued.

Submissions: [WAQSR Ch 6, Sec 3(c)(iv)] [W.S. 35-11-206(c)]

- (G4) Any document submitted shall be certified as being true, accurate, and complete by a responsible official.
 - (a) Submissions to the Division.
 - (i) Any submissions to the Division including reports, certifications, and emission inventories required under this permit shall be submitted as separate, stand-alone documents and shall be sent to:
Administrator, Air Quality Division
122 West 25th Street
Cheyenne, Wyoming 82002
 - (ii) A copy of each submission to the Administrator under paragraph (a)(i) of this condition shall be sent to the DEQ Air Quality Contact listed on page 3 of this permit.
 - (b) Submissions to EPA.
 - (i) Each certification required under condition C1 of this permit shall also be sent to:
Assistant Regional Administrator
Office of Enforcement, Compliance, and Environmental Justice (8ENF-T)
U.S. EPA - Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129
 - (ii) All other required submissions to EPA shall be sent to:
Office of Partnerships and Regulatory Assistance
Air and Radiation Program (8P-AR)
U.S. EPA - Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

Changes for Which No Permit Revision Is Required: [WAQSR Ch 6, Sec 3(d)(iii)]

- (G5) The permittee may change operations without a permit revision provided that:
- (a) The change is not a modification under any provision of title I of the Clean Air Act;
 - (b) The change has met the requirements of Chapter 6, Section 2 of the WAQSR and is not a modification under Chapter 5, Section 2 or Chapter 6, Section 4 of the WAQSR and the changes do not exceed the emissions allowed under the permit (whether expressed therein as a rate of emissions or in terms of total emissions); and
 - (c) The permittee provides EPA and the Division with written notification at least 14 days in advance of the proposed change. The permittee, EPA, and the Division shall attach such notice to their copy of the relevant permit. For each such change, the written notification required shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield, if one exists for this permit, shall not apply to any such change made.

Transfer of Ownership or Operation: [WAQSR Ch 6, Sec 3(d)(v)(A)(IV)]

- (G6) A change in ownership or operational control of this facility is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Division.

Reopening for Cause: [WAQSR Ch 6, Sec 3(d)(vii)] [W.S. 35-11-206(f)(ii) and (iv)]

- (G7) The Division will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:
- (a) Additional applicable requirements under the Clean Air Act or the WAQSR that become applicable to this source if the remaining permit term is three or more years. Such reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended.
 - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit.
 - (c) The Division or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - (d) The Division or EPA determines that the permit must be revised or revoked to assure compliance with applicable requirements.

Annual Fee Payment: [WAQSR Ch 6, Sec 3(f)(i), (ii), and (vi)] [W.S. 35-11-211]

- (G8) The permittee shall, as a condition of continued operations, submit an annual fee to the Division as established in Chapter 6, Section 3 (f) of the WAQSR. The Division shall give written notice of the amount of fee to be assessed and the basis for such fee assessment annually. The assessed fee is due on receipt of the notice unless the fee assessment is appealed pursuant to W.S. 35-11-211(d). If any part of the fee assessment is not appealed it shall be paid to the Division on receipt of the written notice. Any remaining fee which may be due after completion of the appeal is immediately due and payable upon issuance of the Council's decision. Failure to pay fees owed the Division is a violation of Chapter 6, Section 3 (f) and W.S. 35-11-203 and may be cause for the revocation of this permit.

Annual Emissions Inventories: [WAQSR Ch 6, Sec 3(f)(v)(G)]

- (G9) The permittee shall submit an annual emission inventory for this facility to the Division for fee assessment and compliance determinations within 60 days following the end of the calendar year. The emissions inventory shall be in a format specified by the Division.

Severability Clause: [WAQSR Ch 6, Sec 3(h)(i)(E)]

- (G10) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Compliance: [WAQSR Ch 6, Sec 3(h)(i)(F)(I) and (II)] [W.S. 35-11-203(b)]

- (G11) The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Air Act, Article 2 of the Wyoming Environmental Quality Act, and the WAQSR and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

Permit Actions: [WAQSR Ch 6, Sec 3(h)(i)(F)(III)] [W.S. 35-11-206(f)]

- (G12) This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Property Rights: [WAQSR Ch 6, Sec 3(h)(i)(F)(IV)]

- (G13) This permit does not convey any property rights of any sort, or any exclusive privilege.

Duty to Provide Information: [WAQSR Ch 6, Sec 3(h)(i)(F)(V)]

- (G14) The permittee shall furnish to the Division, within a reasonable time, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permit, including information claimed and shown to be confidential under W.S. 35-11-1101 (a) of the Wyoming Environmental Quality Act. Upon request by the Division, the permittee shall also furnish confidential information directly to EPA along with a claim of confidentiality.

Emissions Trading: [WAQSR Ch 6, Sec 3(h)(i)(H)]

- (G15) There are no emissions trading provisions in this permit.

Inspection and Entry: [WAQSR Ch 6, Sec 3(h)(iii)(B)] [W.S. 35-11-206(c)]

- (G16) Authorized representatives of the Division, upon presentation of credentials and other documents as may be required by law, shall be given permission to:
- (a) Enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy at reasonable times any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
 - (d) Sample or monitor any substances or parameters at any location, during operating hours, for the purpose of assuring compliance with this permit or applicable requirements.

Excess Emissions Due to an Emergency: [WAQSR Ch 6, Sec 3(l)]

- (G17) The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency, as defined in Ch 6, Sec 3(l)(i) of the WAQSR. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (a) An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - (b) The permitted facility was, at the time, being properly operated;
 - (c) During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit;

- (d) The permittee submitted notice of the emergency to the Division within one working day of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

Diluting and Concealing Emissions: [WAQSR Ch 1, Sec 4]

- (G18) No person shall cause or permit the installation or use of any device, contrivance, or operational schedule which, without resulting in reduction of the total amount of air contaminant released to the atmosphere, shall dilute or conceal an emission from a source. This condition shall not apply to the control of odors.

Abnormal Conditions and Equipment Malfunction: [WAQSR Ch 1, Sec 5]

- (G19) (a) Any source believing that any emissions in excess of established regulation limits or standards resulted from an unavoidable equipment malfunction, shall notify the Division within 24 hours of the incident via telephone, electronic mail, fax, or other similar method. A detailed description of the circumstances of the incident as described in paragraph 5(a)(i)(A) Chapter 1, including a corrective program directed at preventing future such incidents, must be submitted within 14 days of the onset of the incident. The Administrator may extend this 14-day time period for cause.
- (b) The burden of proof is on the owner or operator of the source to provide sufficient information to demonstrate that an unavoidable equipment malfunction occurred.

Fugitive Dust: [WAQSR Ch 3, Sec 2(f)]

- (G20) The permittee shall minimize fugitive dust in compliance with standards in Ch 3, Sec 2(f) of WAQSR for construction/demolition activities, handling and transportation of materials, and agricultural practices.

Carbon Monoxide: [WAQSR Ch 3, Sec 5]

- (G21) The emission of carbon monoxide in stack gases from any stationary source shall be limited as may be necessary to prevent ambient standards from being exceeded.

Asbestos: [WAQSR Ch 3, Sec 8]

- (G22) The permittee shall comply with emission standards for asbestos during abatement, demolition, renovation, manufacturing, spraying, and fabricating activities.
 - (a) No owner or operator shall build, erect, install, or use any article, machine, equipment, process, or method, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous dilutants to achieve compliance with a visible emissions standard, and the piecemeal carrying out of an operation to avoid coverage by a standard that applies only to operations larger than a specified size.
 - (b) All owners and operators conducting an asbestos abatement project, including an abatement project on a residential building, shall be responsible for complying with Federal requirements and State standards for packaging, transportation, and delivery to an approved waste disposal facility as provided in paragraph (m) of Ch 3, Sec 8.
 - (c) The permittee shall follow State and Federal standards for any demolition and renovation activities conducted at this facility, including:
 - (i) A thorough inspection of the affected facility or part of the facility where the demolition or renovation activity will occur shall be conducted to determine the presence of asbestos, including Category I and Category II non-friable asbestos containing material. The results of the inspection will determine which notification and asbestos abatement procedures are applicable to the activity.
 - (ii) The owner or operator shall follow the appropriate notification requirements of Ch 3, Sec 8(i)(ii).
 - (iii) The owner or operator shall follow the appropriate procedures for asbestos emissions control, as specified in Ch 3, Sec 8(i)(iii).
 - (d) No owner or operator of a facility may install or reinstall on a facility component any insulating materials that contain commercial asbestos if the materials are either molded and friable or wet-applied and friable after drying. The provisions of this paragraph do not apply to spray-applied insulating materials regulated under paragraph (j) of Ch 3, Sec 8.
 - (e) The permittee shall comply with all other requirements of WAQSR Ch 3, Sec 8.

Open Burning Restrictions: [WAQSR Ch 10, Sec 2]

- (G23) The permittee conducting an open burn shall comply with all rules and regulations of the Wyoming Department of Environmental Quality, Division of Air Quality, and with the Wyoming Environmental Quality Act.
- (a) No person shall burn prohibited materials using an open burning method, except as may be authorized by permit. ***“Prohibited materials”*** means substances including, but not limited to; natural or synthetic rubber products, including tires; waste petroleum products, such as oil or used oil filters; insulated wire; plastic products, including polyvinyl chloride (“PVC”) pipe, tubing and connectors; tar, asphalt, asphalt shingles, or tar paper; railroad ties; wood, wood waste, or lumber that is painted or chemically treated; explosives or ammunition; batteries; hazardous waste products; asbestos or asbestos containing materials; or materials which cause dense smoke discharges, excluding refuse and flaring associated with oil and gas well testing, completions and well workovers.
- (b) No person or organization shall conduct or cause or permit open burning for the disposal of trade wastes, for a salvage operation, for the destruction of fire hazards if so designated by a jurisdictional fire authority, or for fire fighting training, except when it can be shown by a person or organization that such open burning is absolutely necessary and in the public interest. Any person or organization intending to engage in such open burning shall file a request to do so with the Division.

Sulfur Dioxide Emission Trading and Inventory Program: [WAQSR Ch 14]

- (G24) Any BART (Best Available Retrofit Technology) eligible facility, or facility which has actual emissions of SO₂ greater than 100 tpy in calendar year 2000 or any subsequent year, shall comply with the applicable requirements of WAQSR Ch 14, Sections 1 through 3, with the exceptions described in sections 2(c) and 3(a).

Stratospheric Ozone Protection Requirements: [40 CFR Part 82]

- (G25) The permittee shall comply with all applicable Stratospheric Ozone Protection Requirements, including but not limited to:
- (a) *Standards for Appliances* [40 CFR Part 82, Subpart F]
The permittee shall comply with the standards for recycling and emission reduction pursuant to 40 CFR Part 82, Subpart F - Recycling and Emissions Reduction, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
- (i) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
- (ii) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
- (iii) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
- (iv) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. (“MVAC-like appliance” is defined at §82.152).
- (v) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.166.
- (vi) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- (vii) The permittee shall comply with all other requirements of Subpart F.
- (b) *Standards for Motor Vehicle Air Conditioners* [40 CFR Part 82, Subpart B]
If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant.

STATE ONLY PERMIT CONDITIONS

The conditions listed in this section are State only requirements and are not federally enforceable.

Ambient Standards:

(S1) The permittee shall operate the emission units described in this permit such that the following ambient standards are not exceeded:

POLLUTANT	STANDARD	CONDITION	WAQSR CH. 2, SEC.
PM ₁₀ particulate matter	50 micrograms per cubic meter	annual arithmetic mean	2 (a)
	150 micrograms per cubic meter	24-hr average concentration with not more than one exceedance per year	
PM _{2.5} particulate matter	15 micrograms per cubic meter	annual arithmetic mean	2 (b)
	65 micrograms per cubic meter	98 th percentile 24-hour average concentration	
Nitrogen dioxide	100 micrograms per cubic meter	annual arithmetic mean	3
Sulfur oxides	60 micrograms per cubic meter	annual arithmetic mean	4
	260 micrograms per cubic meter	max 24-hr concentration with not more than one exceedance per year	
	1300 micrograms per cubic meter	max 3-hr concentration with not more than one exceedance per year	
Carbon monoxide	10 milligrams per cubic meter	max 8-hr concentration with not more than one exceedance per year	5
	40 milligrams per cubic meter	max 1-hr concentration with not more than one exceedance per year	
Ozone	0.08 parts per million	daily maximum 8-hour average	6
Hydrogen sulfide	70 micrograms per cubic meter	½ hour average not to be exceeded more than two times per year	7
	40 micrograms per cubic meter	½ hour average not to be exceeded more than two times in any five consecutive days	
Suspended sulfate	0.25 milligrams SO ₃ per 100 square centimeters per day	maximum annual average	8
	0.50 milligrams SO ₃ per 100 square centimeters per day	maximum 30-day value	
Lead and its compounds	1.5 micrograms per cubic meter	maximum arithmetic mean averaged over a calendar quarter	10

Hydrogen Sulfide: [WAQSR Ch 3, Sec 7]

(S2) Any exit process gas stream containing hydrogen sulfide which is discharged to the atmosphere from any source shall be vented, incinerated, flared, or otherwise disposed of in such a manner that ambient sulfur dioxide and hydrogen sulfide standards are not exceeded.

Odors: [WAQSR Ch 2, Sec 11]

- (S3) (a) The ambient air standard for odors from any source shall be limited to an odor emission at the property line which is undetectable at seven dilutions with odor free air as determined by a scentometer as manufactured by the Barnebey-Cheney Company or any other instrument, device, or technique designated by the Division as producing equivalent results. The occurrence of odors shall be measured so that at least two measurements can be made within a period of one hour, these determinations being separated by at least 15 minutes.
- (b) Odor producing materials shall be stored, transported, and handled in a manner that odors produced from such materials are confined and that accumulation of such materials resulting from spillage or other escape is prevented.

SUMMARY OF SOURCE EMISSION LIMITS AND REQUIREMENTS

Source ID#: 1-HT Source Description: HT Rotary Dryer

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	10% opacity [F3] 0.025 gr/dscf, 6.43 lb/hr & 28.2 TPY [F4] The baghouse shall be well maintained and operated during all bentonite processing activities [F7] Subpart UUU standards [P60-UUU1]	WAQSR Ch 5, Sec 2 and 40 CFR Part 60 Subpart UUU; WAQSR Ch 6, Sec 2 Permit MD-365A2	Additional testing as required [F9, P60-UUU2]	Daily CAM for particulate [F12] Monitor particulate and visible emissions in accordance with Subpart UUU [F12, P60-UUU3]	Record CAM results [F17] Record maintenance activities performed [F19] Record particulate and visible emissions monitoring results [P60-UUU4]	Report monitoring results [F22] Report excess emissions and permit deviations [F24] Submit reports as required by Subpart UUU [P60-UUU5]
SO ₂	15.0 lb/hr & 65.7 TPY [F5]	WAQSR Ch 6, Sec 2 Permit MD-365A2	Test emissions once per permit term [F8] Additional testing as required [F9]	Monitor coal sulfur content and operating parameters and calculate quarterly average emissions [F13]	Record test results [F17] Record coal sulfur content, operating parameters, and calculations for emissions [F18]	Report test results within 45 days [F22] Report calculated quarterly average emissions [F22] Report excess emissions and permit deviations [F24]
NO _x	18.0 lb/hr & 78.8 TPY [F5]	WAQSR Ch 6, Sec 2 Permit MD-365A2	Test emissions once per permit term [F8] Additional testing as required [F9]	Conduct monitoring under F8 [F13]	Record test results [F17]	Report test results within 45 days [F22] Report excess emissions and permit deviations [F24]

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: 1-M Source Description: Mills Rotary Dryer

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	10% opacity [F3] 0.02 gr/dscf, 3.6 lb/hr & 15.8 TPY [F4] The baghouse shall be well maintained and operated during all bentonite processing activities [F7] Subpart UUU standards [P60-UUU1]	WAQSR Ch 5, Sec 2 and 40 CFR Part 60 Subpart UUU; WAQSR Ch 6, Sec 2 Permit MD-537	Additional testing as required [F9, P60-UUU2]	Daily CAM for particulate [F12] Monitor particulate and visible emissions in accordance with Subpart UUU [F12, P60-UUU3]	Record CAM results [F17] Record maintenance activities performed [F19] Record particulate and visible emissions monitoring results [P60-UUU4]	Report monitoring results [F22] Report excess emissions and permit deviations [F24] Submit reports as required by Subpart UUU [P60-UUU5]
SO ₂	0.3 lb/MMBtu, 6.0 lb/hr & 26.3 TPY [F5] 6750 TPY coal [F6]	WAQSR Ch 6, Sec 2 Permit MD-1180	Test emissions once per permit term [F8] Additional testing as required [F9]	Monitor coal sulfur content and operating parameters and calculate quarterly average emissions [F13] Monitor coal usage [F14]	Record test results [F17] Record coal sulfur content, operating parameters, and calculations for emissions [F18] Record coal usage [F18]	Report coal usage [F20] Report test results within 45 days [F22] Report calculated quarterly average emissions [F22] Report excess emissions and permit deviations [F24]
NO _x	0.8 lb/MMBtu, 18.0 lb/hr & 78.8 TPY [F5]	WAQSR Ch 6, Sec 2 Permit MD-1180	Test emissions once per permit term [F8] Additional testing as required [F9]	Conduct monitoring under F8 [F13]	Record test results [F17]	Report test results within 45 days [F22] Report excess emissions and permit deviations [F24]
CO	0.4 lb/MMBtu, 8.8 lb/hr & 38.5 TPY [F5]	WAQSR Ch 6, Sec 2 Permit MD-1180	Test emissions once per permit term [F8] Additional testing as required [F9]	Conduct monitoring under F8 [F13]	Record test results [F17]	Report test results within 45 days [F22] Report excess emissions and permit deviations [F24]

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: 2-HT, 3-HT, 4-HT, 5-HT Source Description: (4) 10,000 cfm Baghouses

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	7% opacity [F3] 0.02 gr/dscf, 1.71 lb/hr & 7.51 TPY each [F4] The baghouses shall be well maintained and operated at all time of bentonite processing activities[F7] Subpart OOO standards [P60-0001]	WAQSR Ch 5, Sec 2 and 40 CFR Part 60 Subpart OOO; WAQSR Ch 6, Sec 2 Permit CT-1233	Additional testing as required [F9]	Daily CAM for particulate [F12]	Record results of visible emissions observations [F17] Record maintenance activities performed [F19] Subpart OOO records [P60-0002]	Report CAM results [F22] Report excess emissions and permit deviations [F24] Submit reports as required by Subpart OOO [P60-0002]

Source ID#: 2-M Source Description: St. Regis Packer Baghouse

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	7% opacity [F3] 0.02 gr/dscf, 1.77 lb/hr & 7.8 TPY each [F4] Subpart OOO standards [P60-0001]	WAQSR Ch 5, Sec 2 and 40 CFR Part 60 Subpart OOO; WAQSR Ch 6, Sec 2 Permit MD-239A	Additional testing as required [F9]	Daily CAM for particulate [F12]	Record results of visible emissions observations [F17] Record maintenance activities performed [F19] Subpart OOO records [P60-0002]	Report CAM results [F22] Report excess emissions and permit deviations [F24] Submit reports as required by Subpart OOO [P60-0002]

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: 3-M Source Description: **Raymond Mill Baghouse**

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	Less than 20% opacity [F3] 0.04 gr/dscf, 0.45 lb/hr & 2.0 TPY [F4]	WAQSR Ch 6, Sec 2 Permit MD-239A	Additional testing as required [F9]	Weekly visible emission observations; maintain in accordance with baghouse maintenance program [F12]	Record results of visible emission observations [F17] Record maintenance activities performed [F19]	Report monitoring results [F22] Report maintenance activities [F23] Report excess emissions and permit deviations [F24]

Source ID#: 4-M, 5-M, 6-M, 8-M, & 9-M

Source Description: **Granular Screen Baghouse, Granular Undersize Tank Baghouse, Mill Hopper Baghouse, Rail Car Loadout Baghouse, Packer Baghouse**

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	7% opacity [F3] 0.02 gr/dscf; see Table I for lb/hr and tpy limits [F4] Subpart OOO standards [P60-0001]	WAQSR Ch 5, Sec 2 and 40 CFR Subpart OOO; WAQSR Ch 6, Sec 2 Permit MD-239A; Waivers AP-TE2 and AP-D58	Additional testing as required [F9]	Weekly visible emission observations; maintain in accordance with baghouse maintenance program [F12]	Record results of visible emissions observations [F17] Record maintenance activities performed [F19] Subpart OOO records [P60-0002]	Report monitoring results [F22] Report maintenance activities [F23] Report excess emissions and permit deviations [F24] Subpart OOO reports [P60-0002]

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: 7-M, 10-M, 11-M, 12-M 13-M, & 19-M

Source Description: **Crushed and Dried Storage Tank Baghouse, North Classifier Baghouse, Pin Mixer Baghouse, Holeplug Baghouse, South Clarifier Baghouse & Rotex Granular Screen Baghouse**

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	7% opacity [F3] 0.01 gr/dscf; see Table I for lb/hr limits [F4] Subpart OOO standards [P60-0001]	WAQSR Ch 5, Sec 2 and 40 CFR Subpart OOO; WAQSR Ch 6, Sec 2 Waivers AP-2981, AP-VT1, AP-TE2 & AP-1148	Additional testing as required [F9]	Weekly visible emission observations; maintain in accordance with baghouse maintenance program [F12]	Record results of visible emissions observations [F17] Record maintenance activities performed [F19] Subpart OOO records [P60-0002]	Report monitoring results [F22] Report maintenance activities [F23] Report excess emissions and permit deviations [F24] Subpart OOO reports [P60-0002]

Source ID#: 14-M Source Description: **Exterior Screen**

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	10% opacity [F3] Subpart OOO standards [P60-0001]	WAQSR Ch 5, Sec 2 and 40 CFR Subpart OOO; WAQSR Ch 6, Sec 2 Waiver AP-KA2 and a 10/25/02 letter	Additional testing as required [F9]	Monthly Method 9 observations [F12]	Record results of Method 9 observations and corrective actions [F17] Subpart OOO records [P60-0002]	Report observation results [F22] Report excess emissions and permit deviations [F24] Subpart OOO reports [P60-0002]

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

Source ID#: 17-M & 18-M Source Description: 30,000 cfm Wall Fan and (3) Ventilation Wall Fans

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	7% opacity [F3]	WAQSR Ch 6, Sec 2 Permit MD-239A and Waiver AP-198	Additional testing as required [F9]	Weekly visible emission observations [F12]	Record visible emissions observations [F17]	Report observation results [F22] Report any maintenance activities [F23] Report excess emissions and permit deviations [F24]

Source ID#: None Source Description: Crushed & Dried Stockpile

Pollutant	Emissions Limit / Work Practice Standard	Corresponding Regulation(s)	Testing Requirements	Monitoring Requirements	Recordkeeping Requirements	Reporting Requirements
Particulate	20% opacity [F2] The stockpile shall not exceed 1000 tons is size [F6]	WAQSR Ch 6, Sec 2 Permit MD-196 and MD-1340	Additional testing as required [F9]	Quarterly visible emission observations on the associated telescopic chute [F11] Estimate stockpile weekly [F14]	Record visible emissions observations [F16] Record weekly stockpile size estimations [F18]	Report visual observation results [F22] Report exceedances of size limitation [F22] Report excess emissions and permit deviations [F24]

These tables are intended only to highlight and summarize applicable requirements for each source. The corresponding permit conditions, listed in brackets, contain detailed descriptions of the compliance requirements. Compliance with the summary conditions in these tables may not be sufficient to meet permit requirements. These tables may not reflect all emission sources at this facility.

ABBREVIATIONS

AQD	Air Quality Division
BACT	Best available control technology (see Definitions)
Btu	British Thermal Unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emissions Monitoring System
cfm	Cubic Foot per Minuet
C.F.R.	Code of Federal Regulations
CO	Carbon monoxide
COMS	Continuous Opacity Monitoring System
°F	Degrees Fahrenheit
DEQ	Wyoming Department of Environmental Quality
dscf	Dry Standard Cubic Foot
EPA	United States Environmental Protection Agency (see Definitions)
g/hp-hr	Gram(s) per horsepower hour
gal	Gallon(s)
gr	Grain(s)
H ₂ S	Hydrogen sulfide
HAP(s)	Hazardous air pollutant(s)
hp	Horsepower
hr	Hour(s)
ID#	Identification number
lb	Pound(s)
M	Thousand
MACT	Maximum available control technology (see Definitions)
mfr	Manufacturer
mg	Milligram(s)
MM	Million
MVAC	Motor Vehicle Air Conditioner
N/A	Not applicable
NO _x	Oxides of nitrogen
O ₂	Oxygen
OPP	Operating Permit Program
PM	Particulate matter
PM _{2.5}	Particulate matter less than or equal to a nominal diameter of 2.5 micrometers
PM ₁₀	Particulate matter less than or equal to a nominal diameter of 10 micrometers
ppmv	Parts per million (by volume)
ppmw	Parts per million (by weight)
QIP	Quality Improvement Plan
SCF	Standard cubic foot (feet)
SCFD	Standard cubic foot (feet) per day
SCM	Standard cubic meter(s)
SIC	Standard Industrial Classification
SO ₂	Sulfur dioxide
SO ₃	Sulfur trioxide
SO _x	Oxides of sulfur
TBD	To be determined
TPY	Tons per year
U.S.C.	United States Code
µg	Microgram(s)
VOC(s)	Volatile organic compound(s)
W.S.	Wyoming Statute
WAQSR	Wyoming Air Quality Standards & Regulations (see Definitions)

DEFINITIONS

"Act" means the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.

"Administrator" means Administrator of the Air Quality Division, Wyoming Department of Environmental Quality.

"Applicable requirement" means all of the following as they apply to emissions units at a source subject to Chapter 6, Section 3 of the WAQSR (including requirements with future effective compliance dates that have been promulgated or approved by the EPA or the State through rulemaking at the time of issuance of the operating permit):

- (a) Any standard or other requirement provided for in the Wyoming implementation plan approved or promulgated by EPA under title I of the Act that implements the relevant requirements of the Act, including any revisions to the plan promulgated in 40 C.F.R. Part 52;
- (b) Any standards or requirements in the WAQSR which are not a part of the approved Wyoming implementation plan and are not federally enforceable;
- (c) Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under title I, including parts C or D of the Act and including Chapter 5, Section 2 and Chapter 6, Sections 2 and 4 of the WAQSR;
- (d) Any standard or other requirement promulgated under Section 111 of the Act, including Section 111(d) and Chapter 5, Section 2 of the WAQSR;
- (e) Any standard or other requirement under Section 112 of the Act, including any requirement concerning accident prevention under Section 112(r)(7) of the Act and including any regulations promulgated by EPA and the State pursuant to Section 112 of the Act;
- (f) Any standard or other requirement of the acid rain program under title IV of the Act or the regulations promulgated thereunder;
- (g) Any requirements established pursuant to Section 504(b) or Section 114(a)(3) of the Act concerning enhanced monitoring and compliance certifications;
- (h) Any standard or other requirement governing solid waste incineration, under Section 129 of the Act;
- (i) Any standard or other requirement for consumer and commercial products, under Section 183(e) of the Act (having to do with the release of volatile organic compounds under ozone control requirements);
- (j) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the Act, unless the EPA has determined that such requirements need not be contained in a title V permit;
- (k) Any national ambient air quality standard or increment or visibility requirement under part C of title I of the Act, but only as it would apply to temporary sources permitted pursuant to Section 504(e) of the Act; and
- (l) Any state ambient air quality standard or increment or visibility requirement of the WAQSR.
- (m) Nothing under paragraphs (a) through (l) above shall be construed as affecting the allowance program and Phase II compliance schedule under the acid rain provision of Title IV of the Act.

"BACT" or "Best available control technology" means an emission limitation (including a visible emission standard) based on the maximum degree of reduction of each pollutant subject to regulation under the WAQSR or regulation under the Federal Clean Air Act, which would be emitted from or which results for any proposed major emitting facility or

major modification which the Administrator, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application or production processes and available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. If the Administrator determines that technological or economic limitations on the application of measurement methodology to a particular class of sources would make the imposition of an emission standard infeasible, he may instead prescribe a design, equipment, work practice or operational standard or combination thereof to satisfy the requirement of Best Available Control Technology. Such standard shall, to the degree possible, set forth the emission reduction achievable by implementation of such design, equipment, work practice, or operation and shall provide for compliance by means which achieve equivalent results. Application of BACT shall not result in emissions in excess of those allowed under Chapter 5, Section 2 of the WAQSR and any other new source performance standard or national emission standards for hazardous air pollutants promulgated by EPA but not yet adopted by the state.

"Department" means the Wyoming Department of Environmental Quality or its Director.

"Director" means the Director of the Wyoming Department of Environmental Quality.

"Division" means the Air Quality Division of the Wyoming Department of Environmental Quality or its Administrator.

"Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

"EPA" means the Administrator of the U.S. Environmental Protection Agency or the Administrator's designee.

"Fuel-burning equipment" means any furnace, boiler apparatus, stack, or appurtenances thereto used in the process of burning fuel or other combustible material for the purpose of producing heat or power by indirect heat transfer.

"Fugitive emissions" means those emissions which could not reasonably pass through a stack chimney, vent, or other functionally equivalent opening.

"Insignificant activities" means those activities which are incidental to the facility's primary business activity and which result in emissions of less than one ton per year of a regulated pollutant not included in the Section 112 (b) list of hazardous air pollutants or emissions less than 1000 pounds per year of a pollutant regulated pursuant to listing under Section 112 (b) of the Act provided, however, such emission levels of hazardous air pollutants do not exceed exemptions based on insignificant emission levels established by EPA through rulemaking for modification under Section 112 (g) of the Act.

"MACT" or "Maximum achievable control technology" means the maximum degree of reduction in emissions that is deemed achievable for new sources in a category or subcategory that shall not be less stringent than the emission control that is achieved in practice by the best controlled similar source, as determined by the Administrator. Emission standards promulgated for existing sources in a category or subcategory may be less stringent than standards for new sources in the same category or subcategory but shall not be less stringent, and may be more stringent than:

- (a) the average emission limitation achieved by the best performing 12 percent of the existing sources (for which the Administrator has emission information), excluding those sources that have, within 18 months before the emission standard is proposed or within 30 months before such standard is promulgated, whichever is later, first achieved a level of emission rate or emission reduction which complies, or would comply if the source is not subject to such standard, with the lowest achievable emission rate applicable to the source category and prevailing at the time, in the category or subcategory for categories and subcategories with 30 or more sources, or

- (b) the average emission limitation achieved by the best performing five sources (for which the Administrator has or could reasonably obtain emissions information) in the category or subcategory for categories or subcategories with fewer than 30 sources.

"Modification" means any physical change in, or change in the method of operation of, an affected facility which increases the amount of any air pollutant (to which any state standards applies) emitted by such facility or which results in the emission of any such air pollutant not previously emitted.

"Permittee" means the person or entity to whom a Chapter 6, Section 3 permit is issued.

"Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is enforceable by EPA and the Division. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in title IV of the Act or the regulations promulgated thereunder.

"Regulated air pollutant" means the following:

- (a) Nitrogen oxides (NO_x) or any volatile organic compound;
- (b) Any pollutant for which a national ambient air quality standard has been promulgated;
- (c) Any pollutant that is subject to any standard established in Chapter 5, Section 2 of the WAQSR or Section 111 of the Act;
- (d) Any Class I or II substance subject to a standard promulgated under or established by title VI of the Act; or
- (e) Any pollutant subject to a standard promulgated under Section 112 or other requirements established under Section 112 of the Act, including Sections 112(g), (j), and (r) of the Act, including the following:
 - (i) Any pollutant subject to requirements under Section 112(j) of the Act. If EPA fails to promulgate a standard by the date established pursuant to Section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to Section 112(e) of the Act; and
 - (ii) Any pollutant for which the requirements of Section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to Section 112(g)(2) requirement.
- (f) Pollutants regulated solely under Section 112(r) of the Act are to be regulated only with respect to the requirements of Section 112(r) for permits issued under this Chapter 6, Section 3 of the WAQSR.

"Renewal" means the process by which a permit is reissued at the end of its term.

"Responsible official" means one of the following:

- (a) For a corporation:
 - (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

- (ii) A duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (A) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
 - (B) the delegation of authority to such representative is approved in advance by the Division;
- (b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- (c) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency; or
- (d) For affected sources:
 - (i) The designated representative or alternate designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the Act or the regulations promulgated thereunder are concerned; and
 - (ii) The designated representative, alternate designated representative, or responsible official under Chapter 6, Section 3 (b)(xxvi) of the WAQSR for all other purposes under this section.

"WAQSR" means the Wyoming Air Quality Standards and Regulations promulgated under the Wyoming Environmental Quality Act, W.S. §35-11-101, et seq.

Appendix A:
Baghouse Maintenance Program

BLACK HILLS BENTONITE
DUST COLLECTOR MAINTENANCE PROGRAM AND PROCEDURE

The following is a description for dust collector operation and maintenance as required by the State Department Environmental Quality, Air Quality Division.

This policy shall be practiced procedure at all Black Hills Bentonite, LLC, plants. The necessary forms must be filled out by appointed individuals only. Extra copies of these forms can be found at the Casper, main office.

Air Quality Policy

Daily visual inspections shall be made of all discharge points, at all plant sites. Inspections shall be made by appointed individuals only. Acceptability or noncompliance of stack emissions shall be reported on the enclosed air quality forms. Any visual particulate emission (other than steam) found coming from a stack shall be deemed a noncompliance. The activation of the maintenance policy as described below should be immediately implemented upon the finding of an emission point in noncompliance.

1. On "bag-type" collectors, dye shall be added for approximately 45 seconds, into the intake side of the collector. The unit must be operating while doing this. Shut down unit after performing this test and enter unit from clean air side. Inspect bags with a black light for visible dye.
3. If visible dye is noted, mark each bag with spray paint, for removal.
4. Replace old bags with new and repeat process 1-3 until no visible dye is noted.

Note:

In reference to "cartridge" type collectors, inspect as referenced above in part 1. Inspect cartridges from the top of unit. Replace cartridges as necessary.

Updated: 12/24/97

Updated By: R. Parsons

Appendix B:
Compliance Assurance Monitoring (CAM) Plans

Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (1-M)

I. Background

A. Emissions Unit

Description: 21,000 dscfm, BHA Dust Collector
Identification: 1-M
Facility: Mills Complex, Mills Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.02 gr/dscf
Pre-CAM monitoring requirements: Visible emissions, Continuous Opacity Monitoring

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 316.0 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 15.8 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 1-M bentonite dryer, used to dry bentonite before further processing. This unit is controlled by a Bag House Accessories/reverse air type dust collector with 360 bags, which filters approximately 21,000 dscfm of air from the drying system. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (2-M)

I. Background

A. Emissions Unit

Description: 10,328 dscfm, BHA Dust Collector
Identification: 2-M
Facility: Mills Complex, Mills Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.02 gr/dscf
Pre-CAM monitoring requirements: Visible emissions

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 155.0 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 7.75 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 2-M for the bentonite packaging processing. This unit is controlled by a 150 sock reverse air type dust collector, which filters approximately 10,328 dscfm of air from the Packer/Bagger packaging equipment. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (1-HT)

I. Background

A. Emissions Unit

Description: 21,000 dscfm, BHA Dust Collector
Identification: 1-HT
Facility: Mills Complex, HT Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.025 gr/dscf
Pre-CAM monitoring requirements: Visible emissions, Continuous Opacity Monitoring

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 563.2 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 28.16 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)



JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 1-HT bentonite dryer, used to dry bentonite before further processing. This unit is controlled by a Bag House Accessories/reverse air type dust collector with 360 bags, which filters approximately 21,000 dscfm of air from the drying system. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)



Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (2-HT)

I. Background

A. Emissions Unit

Description: 10,000 dscfm, BHA Dust Collector
Identification: 2-HT
Facility: Mills Complex, HT Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.02 gr/dscf
Pre-CAM monitoring requirements: Visible emissions

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 150.2 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 7.51 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 2-HT for granular bentonite processing. This unit is controlled by a Bag House Accessories/reverse air type dust collector with 12 cartridges, which filters approximately 10,000 dscfm of air from the granular system. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (3-HT)

I. Background

A. Emissions Unit

Description: 10,000 dscfm, BHA Dust Collector
Identification: 3-HT
Facility: Mills Complex, HT Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.02 gr/dscf
Pre-CAM monitoring requirements: Visible emissions

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 150.2 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 7.51 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 3-HT for granular bentonite processing. This unit is controlled by a Bag House Accessories/reverse air type dust collector with 12 cartridges, which filters approximately 10,000 dscfm of air from the granular system. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (4-HT)

I. Background

A. Emissions Unit

Description: 10,000 dscfm, BHA Dust Collector
Identification: 4-HT
Facility: Mills Complex, HT Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.02 gr/dscf
Pre-CAM monitoring requirements: Visible emissions

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 150.2 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 7.51 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 4-HT for granular bentonite processing. This unit is controlled by a Bag House Accessories/reverse air type dust collector with 12 cartridges, which filters approximately 10,000 dscfm of air from the granular system. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

Black Hills Bentonite LLC
COMPLIANCE ASSURANCE MONITORING PLAN:
FABRIC FILTER FOR PM CONTROL – (5-HT)

I. Background

A. Emissions Unit

Description: 10,000 dscfm, BHA Dust Collector
Identification: 5-HT
Facility: Mills Complex, HT Plant
Mills, WY USA

B. Applicable Regulation, Emission Limit, and Pre-CAM Monitoring Requirements

Regulation: Permit: 30-176-1
CAM Emission limits: Particulate matter: 0.02 gr/dscf
Pre-CAM monitoring requirements: Visible emissions

C. Control Technology, Capture System, Bypass, PTE

Controls: Reverse Air/BHA baghouse operated under negative pressure.
Capture System: Closed-duct system
Bypass: None
PTE before controls: 150.2 TPY (Based on 95% control efficiency of the baghouse)
PTE after controls: 7.51 TPY

II. Monitoring Approach

A. Indicators

Visible emissions will be used as an indicator. Normal process operations will not produce conditions that adversely affect the baghouse, so no process operational parameters will be monitored.

B. Measurement Approach

Visible emissions from the baghouse exhaust will be monitored daily using EPA Reference Method 22-like procedures. An observation will be performed and recorded in a logbook by the observer.

C. Indicator Range

An excursion is defined as the presence of visible emissions.

D. Performance Criteria

Data Representativeness: Measurements are being made at the emission point (baghouse exhaust).
QA/QC Practices and Criteria: The observer will be familiar with Reference Method 22 and follow Method 22-like procedures.

III. Response to Excursion

- A. Upon noting visible emissions, the observer will immediately notify maintenance to inspect the baghouse, and operations to slow down production as feasible. Maintenance personnel will inspect the baghouse within 24 hours of receiving notification and make needed repairs as soon as practicable. Operation will return to normal upon completed corrective action.
- B. QIP Threshold: Five excursions in a 6-month reporting period. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

JUSTIFICATION

I. Background

The pollutant-specific emission unit is the 5-T for granular bentonite processing. This unit is controlled by a Bag House Accessories/reverse air type dust collector with 12 cartridges, which filters approximately 10,000 dscfm of air from the granular car loading system. There is no means for the baghouse to be bypassed.

II. Rationale for Selection of Performance Indicators

Evaluation of visible emissions was selected as the performance indicator because it is indicative of good operation and maintenance of the baghouse. When the baghouse is operating properly, there will not be any visible emissions from the exhaust. Any increase in visible emissions indicates reduced performance of a particulate control device, therefore, the presence of visible emissions is used as a performance indicator.

III. Rationale for Selection of Indicator Ranges

The selected indicator range is no visible emissions. When an excursion occurs, corrective action will be initiated, beginning with an evaluation of the occurrence to determine the action required to correct the situation. All excursions will be documented and reported. An indicator range of no visible emissions was selected because: (1) an increase in visible emissions is indicative of an increase in particulate emissions; and (2) a monitoring technique which does not require a Method 9 certified observer is desired. Although RM 22 applies to fugitive sources, the visible/no visible emissions observation technique of RM-22 can be applied to ducted emissions; i.e., Method 22-like observations.

The selected QIP threshold for baghouse visible emissions is five excursions in a 6-month reporting period. This level is 3 percent of the total visible emissions observations. If the QIP threshold is exceeded in a semiannual reporting period, a QIP will be developed and implemented. (Note: Proposing a QIP threshold in the CAM submittal is not required.)

Appendix C:
40 CFR Part 60, Subpart OOO

Subpart 000 – Standards of Performance for Nonmetallic Mineral Processing Plants

Source: 51 FR 31337, Aug. 1, 1985, unless otherwise noted.

§ 60.670 Applicability and designation of affected facility.

(a)(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; and stand-alone screening operations at plants without crushers or grinding mills.

(b) An affected facility that is subject to the provisions of subpart F or I or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

(1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in § 60.671, of 23 megagrams per hour (25 tons per hour) or less;

(2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in § 60.671, of 136 megagrams per hour (150 tons per hour) or less; and

(3) Common clay plants and pumice plants with capacities, as defined in § 60.671, of 9 megagrams per hour (10 tons per hour) or less.

(d)(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in § 60.671, having the same function as the existing facility, the new facility is exempt from the provisions of

§§ 60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in § 60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§ 60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after August 31, 1983 is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that apply and those that do not apply to owners and operators of affected facilities subject to this subpart.

Table 1 – Applicability of Subpart A To Subpart 000

Subpart A reference	Applies to Subpart 000	Comment
60.1, Applicability	Yes	
60.2, Definitions	Yes	
60.3, Units and abbreviations	Yes	
60.4, Address:		
(a)	Yes	
(b)	Yes	
60.5, Determination of construction or modification	Yes	
60.6, Review of plans	Yes	
60.7, Notification and recordkeeping	Yes	Except in (a)(2) report of anticipated date of initial startup is not required (§ 60.676(h)).
60.8, Performance tests	Yes	Except in (d), after 30 days notice for an initially scheduled performance test, any rescheduled performance test requires 7 days notice, not 30 days (§ 60.675(g)).
60.9, Availability of information	Yes	
60.10, State authority	Yes	
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (§ 60.675 (c)(3) and (c)(4)), Method 9 observation may be reduced from 3 hours to 1 hour. Some affected facilities exempted from Method 9 tests (§ 60.675(h)).
60.12, Circumvention	Yes	
60.13, Monitoring requirements	Yes	
60.14, Modification	Yes	
60.15, Reconstruction	Yes	
60.16, Priority list	Yes	
60.17, Incorporations by reference	Yes	
60.18, General control device	No	Flares will not be used to comply with the emission limits.
60.19, General notification and reporting requirements	Yes	

§ 60.671 Definitions.

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

Bagging operation means the mechanical process by which bags are filled with nonmetallic minerals.

Belt conveyor means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

Bucket elevator means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

Building means any frame structure with a roof.

Capacity means the cumulative rated capacity of all initial crushers that are part of the plant.

Capture system means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more process operations to a control device.

Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more process operations at a nonmetallic mineral processing plant.

Conveying system means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

Crusher means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

Enclosed truck or railcar loading station means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

Fixed plant means any nonmetallic mineral processing plant at which the processing equipment specified in § 60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

Fugitive emission means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

Grinding mill means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying

system, air separator, or air classifier, where such systems are used.

Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

Nonmetallic mineral means any of the following minerals or any mixture of which the majority is any of the following minerals:

(a) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.

(b) Sand and Gravel.

(c) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.

(d) Rock Salt.

(e) Gypsum.

(f) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.

(g) Pumice.

(h) Gilonite.

(i) Talc and Pyrophyllite.

(j) Boron, including Borax, Kernite, and Colemanite.

(k) Barite.

(l) Fluor spar.

(m) Feldspar.

(n) Diatomite.

(o) Perlite.

(p) Vermiculite.

(q) Mica.

(r) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

Nonmetallic mineral processing plant means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in § 60.670 (b) and (c).

Portable plant means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

Production line means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

Screening operation means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens).

Size means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

Stack emission means the particulate matter that is released to the atmosphere from a capture system.

Storage bin means a facility for storage (including surge bins) or nonmetallic minerals prior to further processing or loading.

Transfer point means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

Truck dumping means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: trucks, front end loaders, skip hoists, and railcars.

Vent means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

Wet mining operation means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

Wet screening operation means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997]

§ 60.672 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by § 60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:

(1) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and

(2) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from an affected facility using a wet scrubbing control device. Facilities using a wet scrubber

must comply with the reporting provisions of § 60.676 (c), (d), and (e).

(b) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under § 60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs (c), (d), and (e) of this section.

(c) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under § 60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a), (b) and (c) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in §60.671.

(2) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in paragraph (a) of this section.

(f) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under § 60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions which exhibit greater than 7 percent opacity.

(g) Owners or operators of multiple storage bins with combined stack emissions shall comply with the emission limits in paragraph (a)(1) and (a)(2) of this section.

(h) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, no owner or operator shall cause to be discharged

into the atmosphere any visible emissions from:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997; 65 FR 61778, Oct. 17, 2000]

§ 60.673 Reconstruction.

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital cost that would be required to construct a comparable new facility" under § 60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under § 60.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

§ 60.674 Monitoring of operations.

The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

(a) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 250 pascals ± 1 inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(b) A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 5 percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.

§ 60.675 Test methods and procedures.

(a) In conducting the performance tests required in § 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in § 60.8(b). Acceptable alternative methods and

procedures are given in paragraph (e) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in § 60.672(a) as follows:

(1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 and the procedures in § 60.11 shall be used to determine opacity.

(c)(1) In determining compliance with the particulate matter standards in § 60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in § 60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under § 60.672(f) of this subpart, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).

(3) When determining compliance with the fugitive emissions standard for any affected facility described under § 60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

(4) When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under § 60.672(c) of this subpart, the duration of the Method 9 observations may

be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 15 percent opacity; and

(ii) There are no more than 3 readings of 15 percent for the 1-hour period.

(d) In determining compliance with § 60.672(e), the owner or operator shall use Method 22 to determine fugitive emissions. The performance test shall be conducted while all affected facilities inside the building are operating. The performance test for each building shall be at least 75 minutes in duration, with each side of the building and the roof being observed for at least 15 minutes.

(e) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

(f) To comply with § 60.676(d), the owner or operator shall record the measurements as required in § 60.676(c) using the monitoring devices in § 60.674 (a) and (b) during each particulate matter run and shall determine the averages.

(g) If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in this section, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

(h) Initial Method 9 performance tests under § 60.11 of this part and § 60.675 of this subpart are not required for:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, that

process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[54 FR 6680, Feb. 14, 1989, as amended at 62 FR 31360, June 9, 1997]

§ 60.676 Reporting and recordkeeping.

(a) Each owner or operator seeking to comply with § 60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

(b) [Reserved]

(c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.

(d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Administrator of occurrences when the measurements of the scrubber pressure loss (or gain) and liquid flow rate differ by more than ± 30 percent from the averaged determined during the most recent performance test.

(e) The reports required under paragraph (d) shall be postmarked within 30 days following end of the second and fourth calendar quarters.

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set

forth in § 60.672 of this subpart, including reports of opacity observations made using Method 9 to demonstrate compliance with § 60.672(b), (c), and (f), and reports of observations using Method 22 to demonstrate compliance with § 60.672(e).

(g) The owner or operator of any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to § 60.672(h) and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in § 60.672(b) and the emission test requirements of § 60.11 and this subpart. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in § 60.672(h).

(h) The subpart A requirement under § 60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart.

(i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

[51 FR 31337, Aug. 1, 1985, as amended at 54 FR 6680, Feb. 14, 1989; 62 FR 31360, June 9, 1997; 65 FR 61778, Oct. 17, 2000]

Appendix D:
40 CFR Part 60, Subpart UUU

Subpart UUU—Standards of Performance for Calciners and Dryers in Mineral Industries

Source: 57 FR 44503, Sept. 28, 1992, unless otherwise noted.

§ 60.730 Applicability and designation of affected facility.

(a) The affected facility to which the provisions of this subpart apply is each calciner and dryer at a mineral processing plant. Feed and product conveyors are not considered part of the affected facility. For the brick and related clay products industry, only the calcining and drying of raw materials prior to firing of the brick are covered.

(b) An affected facility that is subject to the provisions of subpart LL, Metallic Mineral Processing Plants, is not subject to the provisions of this subpart. Also, the following processes and process units used at mineral processing plants are not subject to the provisions of this subpart: vertical shaft kilns in the magnesium compounds industry; the chlorination-oxidation process in the titanium dioxide industry; coating kilns, mixers, and aerators in the roofing granules industry; and tunnel kilns, tunnel dryers, apron dryers, and grinding equipment that also dries the process material used in any of the 17 mineral industries (as defined in §60.731, "Mineral processing plant").

(c) The owner or operator of any facility under paragraph (a) of this section that commences construction, modification, or reconstruction after April 23, 1986, is subject to the requirements of this subpart.

§ 60.731 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Clean Air Act and in subpart A of this part.

Calciner means the equipment used to remove combined (chemically bound) water and/or gases from mineral material through direct or indirect heating. This definition includes expansion furnaces and multiple hearth furnaces.

Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more affected facilities.

Dryer means the equipment used to remove uncombined (free) water from mineral material through direct or indirect heating.

Installed in series means a calciner and dryer installed such that the exhaust gases from one flow through the other and then the combined exhaust gases are discharged to the atmosphere.

Mineral processing plant means any facility that processes or produces any of the following minerals, their concentrates or any mixture of which the majority (50 percent) is any of the following minerals or a combination of these minerals: alumina, ball clay, bentonite, diatomite, feldspar, fire clay, fuller's earth, gypsum, industrial sand, kaolin,

lightweight aggregate, magnesium compounds, perlite, roofing granules, talc, titanium dioxide, and vermiculite.

§ 60.732 Standards for particulate matter.

Each owner or operator of any affected facility that is subject to the requirements of this subpart shall comply with the emission limitations set forth in this section on and after the date on which the initial performance test required by §60.8 is completed, but not later than 180 days after the initial startup, whichever date comes first. No emissions shall be discharged into the atmosphere from any affected facility that:

(a) Contains particulate matter in excess of 0.092 gram per dry standard cubic meter (g/dscm) [0.040 grain per dry standard cubic foot (gr/dscf)] for calciners and for calciners and dryers installed in series and in excess of 0.057 g/dscm (0.025 gr/dscf) for dryers; and

(b) Exhibits greater than 10 percent opacity, unless the emissions are discharged from an affected facility using a wet scrubbing control device.

[57 FR 44503, Sept. 28, 1992, as amended at 65 FR 61778, Oct. 17, 2000]

§ 60.733 Reconstruction.

The cost of replacement of equipment subject to high temperatures and abrasion on processing equipment shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital cost that would be required to construct a comparable new facility" under §60.15. Calciner and dryer equipment subject to high temperatures and abrasion are: end seals, flights, and refractory lining.

§ 60.734 Monitoring of emissions and operations.

(a) With the exception of the process units described in paragraphs (b), (c), and (d) of this section, the owner or operator of an affected facility subject to the provisions of this subpart who uses a dry control device to comply with the mass emission standard shall install, calibrate, maintain, and operate a continuous monitoring system to measure and record the opacity of emissions discharged into the atmosphere from the control device.

(b) In lieu of a continuous opacity monitoring system, the owner or operator of a ball clay vibrating grate dryer, a bentonite rotary dryer, a diatomite flash dryer, a diatomite rotary calciner, a feldspar rotary dryer, a fire clay rotary dryer, an industrial sand fluid bed dryer, a kaolin rotary calciner, a perlite rotary dryer, a roofing granules fluid bed dryer, a roofing granules rotary dryer, a talc rotary calciner, a titanium dioxide spray dryer, a titanium dioxide fluid bed dryer, a vermiculite fluid bed dryer, or a vermiculite rotary dryer who uses a dry control device may have a certified visible emissions observer measure and record three 6-minute

averages of the opacity of visible emissions to the atmosphere each day of operation in accordance with Method 9 of appendix A of part 60.

(c) The owner or operator of a ball clay rotary dryer, a diatomite rotary dryer, a feldspar fluid bed dryer, a fuller's earth rotary dryer, a gypsum rotary dryer, a gypsum flash calciner, gypsum kettle calciner, an industrial sand rotary dryer, a kaolin rotary dryer, a kaolin multiple hearth furnace, a perlite expansion furnace, a talc flash dryer, a talc rotary dryer, a titanium dioxide direct or indirect rotary dryer or a vermiculite expansion furnace who uses a dry control device is exempt from the monitoring requirements of this section.

(d) The owner or operator of an affected facility subject to the provisions of this subpart who uses a wet scrubber to comply with the mass emission standard for any affected facility shall install, calibrate, maintain, and operate monitoring devices that continuously measure and record the pressure loss of the gas stream through the scrubber and the scrubbing liquid flow rate to the scrubber. The pressure loss monitoring device must be certified by the manufacturer to be accurate within 5 percent of water column gauge pressure at the level of operation. The liquid flow rate monitoring device must be certified by the manufacturer to be accurate within 5 percent of design scrubbing liquid flow rate.

§ 60.735 Recordkeeping and reporting requirements.

(a) Records of the measurements required in §60.734 of this subpart shall be retained for at least 2 years.

(b) Each owner or operator who uses a wet scrubber to comply with §60.732 shall determine and record once each day, from the recordings of the monitoring devices in §60.734(d), an arithmetic average over a 2-hour period of both the change in pressure of the gas stream across the scrubber and the flowrate of the scrubbing liquid.

(c) Each owner or operator shall submit written reports semiannually of exceedances of control device operating parameters required to be monitored by §60.734 of this subpart. For the purpose of these reports, exceedances are defined as follows:

(1) All 6-minute periods during which the average opacity from dry control devices is greater than 10 percent; or

(2) Any daily 2-hour average of the wet scrubber pressure drop determined as described in §60.735(b) that is less than 90 percent of the average value recorded according to §60.736(c) during the most recent performance test that demonstrated compliance with the particulate matter standard; or

(3) Each daily wet scrubber liquid flow rate recorded as described in §60.735(b) that is

less than 80 percent or greater than 120 percent of the average value recorded according to §60.736(c) during the most recent performance test that demonstrated compliance with the particulate matter standard.

(d) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with this section provided that they comply with the requirements established by the State.

[57 FR 44503, Sept. 28, 1992, as amended at 58 FR 40591, July 29, 1993]

§ 60.736 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.732 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and volume for each test run shall be at least 2 hours and 1.70 dscm.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity from stack emissions.

(c) During the initial performance test of a wet scrubber, the owner or operator shall use

the monitoring devices of §60.734(d) to determine the average change in pressure of the gas stream across the scrubber and the average flowrate of the scrubber liquid during each of the particulate matter runs. The arithmetic averages of the three runs shall be used as the baseline average values for the purposes of §60.735(c).

§ 60.737 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities which will not be delegated to States: No restrictions.

Appendix E:
WAQSR Chapter 7, Section 3, Compliance Assurance Monitoring (CAM)

WAQSR Chapter 7, Section 3 Compliance Assurance Monitoring (CAM)

(a) **Definitions.** For purposes of this section:

"Act" means the Clean Air Act, as amended by Pub.L. 101-549, 42 U.S.C. 7401, et seq.

"Applicable requirement" means all of the following as they apply to emissions units at a source subject to this section (including requirements with future effective compliance dates that have been promulgated or approved by the EPA or the State through rulemaking at the time of issuance of the operating permit):

(i) Any standard or other requirement provided for in the Wyoming implementation plan approved or promulgated by the EPA under title I of the Act that implements the relevant requirements of the Act, including any revisions to the plan promulgated in 40 CFR part 52;

(ii) Any standards or requirements in the WAQSR which are not a part of the approved Wyoming implementation plan and are not federally enforceable;

(iii) Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under title I, including parts C or D of the Act and including Chapter 5, Section 2 and Chapter 6, Sections 2 and 4 of the WAQSR;

(iv) Any standard or other requirement promulgated under section 111 of the Act, including section 111(d) and Chapter 5, Section 2 of the WAQSR;

(v) Any standard or other requirement under section 112 of the Act, including any requirement concerning accident prevention under section 112(r)(7) of the Act and including any regulations promulgated by the EPA and the State pursuant to section 112 of the Act;

(vi) Any standard or other requirement of the acid rain program under title IV of the Act or the regulations promulgated thereunder;

(vii) Any requirements established pursuant to section 504(b) or section 114(a)(3) of the Act concerning enhanced monitoring and compliance certifications;

(viii) Any standard or other requirement governing solid waste incineration, under section 129 of the Act;

(ix) Any standard or other requirement for consumer and commercial products, under section 183(e) of the Act (having to do with the release of volatile organic compounds under ozone control requirements);

(x) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the Act, unless the EPA has determined that such requirements need not be contained in a title V permit;

(xi) Any national ambient air quality standard or increment or visibility requirement under part C of title I of the Act, but only as it would

apply to temporary sources permitted pursuant to section 504(e) of the Act; and

(xii) Any state ambient air quality standard or increment or visibility requirement of the WAQSR.

(xiii) Nothing under Chapter 6, Section 3(b)(v) shall be construed as affecting the allowance program and Phase II compliance schedule under the acid rain provision of title IV of the Act.

"Capture system" means the equipment (including but not limited to hoods, ducts, fans, and booths) used to contain, capture and transport a pollutant to a control device.

"Continuous compliance determination method" means a method, specified by the applicable standard or an applicable permit condition, which:

(i) Is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and

(ii) Provides data either in units of the standard or correlated directly with the compliance limit.

"Control device" means equipment, other than inherent process equipment, that is used to destroy or remove air pollutant(s) prior to discharge to the atmosphere. The types of equipment that may commonly be used as control devices include, but are not limited to, fabric filters, mechanical collectors, electrostatic precipitators, inertial separators, afterburners, thermal or catalytic incinerators, adsorption devices (such as carbon beds), condensers, scrubbers (such as wet collection and gas absorption devices), selective catalytic or non-catalytic reduction systems, flue gas recirculation systems, spray dryers, spray towers, mist eliminators, acid plants, sulfur recovery plants, injection systems (such as water, steam, ammonia, sorbent or limestone injection), and combustion devices independent of the particular process being conducted at an emissions unit (e.g., the destruction of emissions achieved by venting process emission streams to flares, boilers or process heaters). For purposes of this part, a control device does not include passive control measures that act to prevent pollutants from forming, such as the use of seals, lids, or roofs to prevent the release of pollutants, use of low-polluting fuel or feedstocks, or the use of combustion or other process design features or characteristics. If an applicable requirement establishes that particular equipment which otherwise meets this definition of a control device does not constitute a control device as applied to a particular pollutant-specific emissions unit, then that definition shall be binding for purposes of this part.

"Data" means the results of any type of monitoring or method, including the results of

instrumental or non-instrumental monitoring, emission calculations, manual sampling procedures, recordkeeping procedures, or any other form of information collection procedure used in connection with any type of monitoring or method.

"Emission limitation or standard" means any applicable requirement that constitutes an emission limitation, emission standard, standard of performance or means of emission limitation as defined under the Act. An emission limitation or standard may be expressed in terms of the pollutant, expressed either as a specific quantity, rate or concentration of emissions (e.g., pounds of SO₂ per hour, pounds of SO₂ per million British thermal units of fuel input, kilograms of VOC per liter of applied coating solids, or parts per million by volume of SO₂) or as the relationship of uncontrolled to controlled emissions (e.g., percentage capture and destruction efficiency of VOC or percentage reduction of SO₂). An emission limitation or standard may also be expressed either as a work practice, process or control device parameter, or other form of specific design, equipment, operational, or operation and maintenance requirement. For purposes of this part, an emission limitation or standard shall not include general operation requirements that an owner or operator may be required to meet, such as requirements to obtain a permit, to operate and maintain sources in accordance with good air pollution control practices, to develop and maintain a malfunction abatement plan, to keep records, submit reports, or conduct monitoring.

"Emissions unit" means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under section 112(b) of the Act. This term is not meant to alter or affect the definition of the term "unit" for purposes of title IV of the Act.

"Exceedence" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

"Excursion" shall mean a departure from an indicator range established for monitoring under this part, consistent with any averaging period specified for averaging the results of the monitoring.

"Inherent process equipment" means equipment that is necessary for the proper or safe functioning of the process, or material recovery equipment that the owner or operator documents is installed and operated primarily for purposes other than compliance with air pollution regulations. Equipment that must be

operated at an efficiency higher than that achieved during normal process operations in order to comply with the applicable emission limitation or standard is not inherent process equipment. For the purposes of this part, inherent process equipment is not considered a control device.

"Major source" means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person or persons under common control) belonging to a single major industrial grouping and that is described in paragraphs (i), (ii), or (iii) of this definition. For the purpose of defining "major source", a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987.

(i) A major source under section 112 of the Act, which is defined as:

(A) For pollutants other than radionuclides, any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to section 112(b) of the Act, 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the EPA may establish by rule. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or

(B) For radionuclides, "major source" shall have the meaning specified by the EPA by rule.

(ii) A major stationary source of air pollutants, as defined in section 302 of the Act, that directly emits or has the potential to emit, 100 tpy or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the EPA). Emissions of air pollutants regulated solely due to section 112(r) of the Act shall not be considered in determining whether a source is a "major source" for purposes of Chapter 6, Section 3 applicability. The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source unless the source belongs to one of the following categories of stationary sources:

(A) Stationary sources listed in Chapter 6, Section 4(a)(i)(a) of the WAQSR; or

(B) Any other stationary source category, which as of August 7, 1980 is being regulated under section 111 or 112 of the Act.

(iii) A major stationary source as defined in part D of title I of the Act (in reference to sources located in non-attainment areas).

"Monitoring" means any form of collecting data on a routine basis to determine or otherwise assess compliance with emission limitations or standards. Recordkeeping may be considered monitoring where such records are used to determine or assess compliance with an emission limitation or standard (such as records of raw material content and usage, or records documenting compliance with work practice requirements). The conduct of compliance method tests, such as the procedures in 40 CFR part 60, Appendix A, on a routine periodic basis may be considered monitoring (or as a supplement to other monitoring), provided that requirements to conduct such tests on a one-time basis or at such times as a regulatory authority may require on a non-regular basis are not considered monitoring requirements for purposes of this paragraph. Monitoring may include one or more than one of the following data collection techniques, where appropriate for a particular circumstance:

(i) Continuous emission or opacity monitoring systems;

(ii) Continuous process, capture system, control device or other relevant parameter monitoring systems or procedures, including a predictive emission monitoring system;

(iii) Emission estimation and calculation procedures (e.g., mass balance or stoichiometric calculations);

(iv) Maintenance and analysis of records of fuel or raw materials usage;

(v) Recording results of a program or protocol to conduct specific operation and maintenance procedures;

(vi) Verification of emissions, process parameters, capture system parameters, or control device parameters using portable or in situ measurement devices;

(vii) Visible emission observations;

(viii) Any other form of measuring, recording, or verifying on a routine basis emissions, process parameters, capture system parameters, control device parameters or other factors relevant to assessing compliance with emission limitations or standards.

"Operating permit" means any permit or group of permits covering a source under Chapter 6, Section 3, Operating Permits that is issued, renewed, amended, or revised pursuant to Chapter 6, Section 3.

"Operating permit application" shall mean an application (including any supplement to a previously submitted application) that is

submitted by the owner or operator in order to obtain a Chapter 6, Section 3, operating permit.

"Owner or operator" means any person who owns, leases, operates, controls or supervises a stationary source subject to this part.

"Pollutant-specific emissions unit" means an emissions unit considered separately with respect to each regulated air pollutant.

"Potential to emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is enforceable by the EPA and the Division. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in title IV of the Act or the regulations promulgated thereunder.

"Predictive emission monitoring system (PEMS)" means a system that uses process and other parameters as inputs to a computer program or other data reduction system to produce values in terms of the applicable emission limitation or standard.

"Regulated air pollutant" means the following:

(i) Nitrogen oxides (NO_x) or any volatile organic compound;

(ii) Any pollutant for which a national ambient air quality standard has been promulgated;

(iii) Any pollutant that is subject to any standard established in Chapter 5, Section 2 of the WAQSR or section 111 of the Act;

(iv) Any Class I or II substance subject to a standard promulgated under or established by title VI of the Act; or

(v) Any pollutant subject to a standard promulgated under section 112 or other requirements established under section 112 of the Act, including sections 112(g), (j), and (r) of the Act, including the following:

(A) Any pollutant subject to requirements under section 112(j) of the Act. If the EPA fails to promulgate a standard by the date established pursuant to section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the Act; and

(B) Any pollutant for which the requirements of section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to section 112(g)(2) requirement.

(vi) Pollutants regulated solely under section 112(r) of the Act are to be regulated only with respect to the requirements of section 112(r)

for permits issued under Chapter 6, Section 3, Operating Permits.

"Stationary source" means any building, structure, facility, or installation that emits or may emit any regulated air pollutant or any pollutant listed under section 112(b) of the Act.

(b) Applicability.

(i) General applicability. Except for backup utility units that are exempt under paragraph (ii)(B) of this subsection (b), the requirements of this part shall apply to a pollutant-specific emissions unit at a major source that is required to obtain a Chapter 6, Section 3, operating permit if the unit satisfies all of the following criteria:

(A) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant (or a surrogate thereof), other than an emission limitation or standard that is exempt under paragraph (ii)(A) of this subsection (b);

(B) The unit uses a control device to achieve compliance with any such emission limitation or standard; and

(C) The unit has potential pre-control device emissions of the applicable regulated air pollutant that are equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source. For purposes of this paragraph, "potential pre-control device emissions" shall have the same meaning as "potential to emit", as defined in Chapter 7, Section 3(a), except that emission reductions achieved by the applicable control device shall not be taken into account.

(ii) Exemptions.

(A) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards:

(I) Emission limitations or standards proposed by the EPA Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act;

(II) Stratospheric ozone protection requirements under title VI of the Act;

(III) Acid Rain Program requirements pursuant to sections 404, 405, 406, 407(a), 407(b), or 410 of the Act;

(IV) Emission limitations or standards or other applicable requirements that apply solely under an emissions trading program approved or promulgated by the Administrator under the Act that allows for trading emissions within a source or between sources;

(V) A federally enforceable emissions cap included in the Chapter 6, Section 3 operating permit;

(VI) Emission limitations or standards for which a Chapter 6, Section 3, operating permit specifies a continuous compliance determination method, as defined in Chapter

7, Section 3(a). The exemption provided in (b)(ii)(A)(VI) of this section shall not apply if the applicable compliance method includes an assumed control device emission reduction factor that could be affected by the actual operation and maintenance of the control device (such as a surface coating line controlled by an incinerator for which continuous compliance is determined by calculating emissions on the basis of coating records and an assumed control device efficiency factor based on an initial performance test; in this example, this part would apply to the control device and capture system, but not to the remaining elements of the coating line, such as raw material usage).

(B) Exemption for backup utility power emissions units. The requirements of this part shall not apply to a utility unit, as defined in §72.2 of Chapter 11, Section 2(b) that is municipally-owned if the owner or operator provides documentation in a Chapter 6, Section 3, operating permit application that:

(I) The utility unit is exempt from all monitoring requirements in Chapter 11, Section 2(b), Acid Rain, Continuous emission monitoring (including the appendices thereto);

(II) The utility unit is operated for the sole purpose of providing electricity during periods of peak electrical demand or emergency situations and will be operated consistent with that purpose throughout the Chapter 6, Section 3, operating permit term. The owner or operator shall provide historical operating data and relevant contractual obligations to document that this criterion is satisfied; and

(III) The actual emissions from the utility unit, based on the average annual emissions over the last three calendar years of operation (or such shorter time period that is available for units with fewer than three years of operation) are less than 50 percent of the amount in tons per year required for a source to be classified as a major source and are expected to remain so.

(c) Monitoring design criteria.

(i) General criteria. To provide a reasonable assurance of compliance with emission limitations or standards for the anticipated range of operations at a pollutant-specific emissions unit, monitoring under this part shall meet the following general criteria:

(A) The owner or operator shall design the monitoring to obtain data for one or more indicators of emission control performance for the control device, any associated capture system and, if necessary to satisfy paragraph (c)(i)(B) of this section, processes at a pollutant-specific emissions unit. Indicators of performance may include, but are not limited to, direct or predicted emissions (including visible emissions or opacity), process and control device parameters that affect control device (and capture system) efficiency or emission rates, or recorded

findings of inspection and maintenance activities conducted by the owner or operator.

(B) The owner or operator shall establish an appropriate range(s) or designated condition(s) for the selected indicator(s) such that operation within the ranges provides a reasonable assurance of ongoing compliance with emission limitations or standards for the anticipated range of operating conditions.

Such range(s) or condition(s) shall reflect the proper operation and maintenance of the control device (and associated capture system), in accordance with applicable design properties, for minimizing emissions over the anticipated range of operating conditions at least to the level required to achieve compliance with the applicable requirements. The reasonable assurance of compliance will be assessed by maintaining performance within the indicator range(s) or designated condition(s). The ranges shall be established in accordance with the design and performance requirements in this section and documented in accordance with the requirements in Chapter 7, Section 3(d). If necessary to assure that the control device and associated capture system can satisfy this criterion, the owner or operator shall monitor appropriate process operational parameters (such as total throughput where necessary to stay within the rated capacity for a control device). In addition, unless specifically stated otherwise by an applicable requirement, the owner or operator shall monitor indicators to detect any bypass of the control device (or capture system) to the atmosphere, if such bypass can occur based on the design of the pollutant-specific emissions unit.

(C) The design of indicator ranges or designated conditions may be:

(I) Based on a single maximum or minimum value if appropriate (e.g., maintaining condenser temperatures a certain number of degrees below the condensation temperature of the applicable compound(s) being processed) or at multiple levels that are relevant to distinctly different operating conditions (e.g., high versus low load levels);

(II) Expressed as a function of process variables (e.g., an indicator range expressed as minimum to maximum pressure drop across a venturi throat in a particulate control scrubber);

(III) Expressed as maintaining the applicable parameter in a particular operational status or designated condition (e.g., position of a damper controlling gas flow to the atmosphere through a by-pass duct);

(IV) Established as interdependent between more than one indicator.

(ii) Performance criteria. The owner or operator shall design the monitoring to meet the following performance criteria:

(A) Specifications that provide for obtaining data that are representative of the emissions or parameters being monitored (such as

detector location and installation specifications, if applicable);

(B) For new or modified monitoring equipment, verification procedures to confirm the operational status of the monitoring prior to the date by which the owner or operator must conduct monitoring under this part as specified in Chapter 7, Section 3(g)(i). The owner or operator shall consider the monitoring equipment manufacturer's requirements or recommendations for installation, calibration, and start-up operation;

(C) Quality assurance and control practices that are adequate to ensure the continuing validity of the data. The owner or operator shall consider manufacturer recommendations or requirements applicable to the monitoring in developing appropriate quality assurance and control practices;

(D) Specifications for the frequency of conducting the monitoring, the data collection procedures that will be used (e.g., computerized data acquisition and handling, alarm sensor, or manual log entries based on gauge readings), and, if applicable, the period over which discrete data points will be averaged for the purpose of determining whether an excursion or exceedance has occurred.

(I) At a minimum, the owner or operator shall design the period over which data are obtained and, if applicable, averaged consistent with the characteristics and typical variability of the pollutant-specific emissions unit (including the control device and associated capture system). Such intervals shall be commensurate with the time period over which a change in control device performance that would require actions by owner or operator to return operations within normal ranges or designated conditions is likely to be observed.

(II) For all pollutant-specific emissions units with the potential to emit, calculated including the effect of control devices, the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, for each parameter monitored, the owner or operator shall collect four or more data values equally spaced over each hour and average the values, as applicable, over the applicable averaging period as determined in accordance with paragraph (c)(ii)(D)(I) of this section. The Division may approve a reduced data collection frequency, if appropriate, based on information presented by the owner or operator concerning the data collection mechanisms available for a particular parameter for the particular pollutant-specific emissions unit (e.g., integrated raw material or fuel analysis data, noninstrumental measurement of waste feed rate or visible emissions, use of a portable analyzer or an alarm sensor).

(III) For other pollutant-specific emissions units, the frequency of data collection may be less than the frequency specified in subparagraph (c)(ii)(D)(II) of this section but the monitoring shall include some data collection at least once per 24-hour period (e.g., a daily inspection of a carbon adsorber operation in conjunction with a weekly or monthly check of emissions with a portable analyzer).

(iii) Evaluation factors. In designing monitoring to meet the requirements in paragraphs (c)(i) and (c)(ii) of this section, the owner or operator shall take into account site-specific factors including the applicability of existing monitoring equipment and procedures, the ability of the monitoring to account for process and control device operational variability, the reliability and latitude built into the control technology, and the level of actual emissions relative to the compliance limitation.

(iv) Special criteria for the use of continuous emission, opacity or predictive monitoring systems.

(A) If a continuous emission monitoring system (CEMS), continuous opacity monitoring system (COMS) or predictive emission monitoring system (PEMS) is required pursuant to other authority under the Act or state or local law, the owner or operator shall use such system to satisfy the requirements of this section.

(B) The use of a CEMS, COMS, or PEMS that satisfies any of the following monitoring requirements shall be deemed to satisfy the general design criteria in paragraphs (c)(i) and (c)(ii) of this section, provided that a COMS may be subject to the criteria for establishing indicator ranges under paragraph (c)(i) of this section:

(I) Section 51.214 and Appendix P of 40 CFR part 51;

(II) Chapter 5, Section 2(j) and Section 2(b)(i), 40 CFR part 60, Appendix B;

(III) Chapter 5, Section 3(j) and any applicable performance specifications required pursuant to the applicable subpart of Chapter 5, Section 3;

(IV) Chapter 11, Section 2b, Acid Rain, Continuous emission monitoring;

(V) 40 CFR part 266, Subpart H and appendix IX; or

(VI) If an applicable requirement does not otherwise require compliance with the requirements listed in the preceding paragraphs (c)(iv)(B)(I)-(V) of this section, comparable requirements and specifications established by the Division.

(C) The owner or operator shall design the monitoring system subject to subsection (c)(iv) to:

(I) Allow for reporting of exceedances (or excursions if applicable to a COMS used to assure compliance with a particulate matter

standard), consistent with any period for reporting of exceedances in an underlying requirement. If an underlying requirement does not contain a provision for establishing an averaging period for the reporting of exceedances or excursions, the criteria used to develop an averaging period in (c)(ii)(D) of this section shall apply; and

(II) Provide an indicator range consistent with paragraph (c)(i) of this section for a COMS used to assure compliance with a particulate matter standard. If an opacity standard applies to the pollutant-specific emissions unit, such limit may be used as the appropriate indicator range unless the opacity limit fails to meet the criteria in paragraph (c)(i) of this section after considering the type of control device and other site-specific factors applicable to the pollutant-specific emissions unit.

(d) Submittal requirements.

(i) The owner or operator shall submit to the Division monitoring that satisfies the design requirements in Chapter 7, Section 3(c). The submission shall include the following information:

(A) The indicators to be monitored to satisfy Chapter 7, Section 3(c)(i)(A)-(B);

(B) The ranges or designated conditions for such indicators, or the process by which such indicator ranges or designated conditions shall be established;

(C) The performance criteria for the monitoring to satisfy Chapter 7, Section 3(c)(ii); and

(D) If applicable, the indicator ranges and performance criteria for a CEMS, COMS or PEMS pursuant to Chapter 7, Section 3(c)(iv).

(ii) As part of the information submitted, the owner or operator shall submit a justification for the proposed elements of the monitoring. If the performance specifications proposed to satisfy Chapter 7, Section 3(c)(ii)(B) or (C) include differences from manufacturer recommendations, the owner or operator shall explain the reasons for the differences between the requirements proposed by the owner or operator and the manufacturer's recommendations or requirements. The owner or operator also shall submit any data supporting the justification, and may refer to generally available sources of information used to support the justification (such as generally available air pollution engineering manuals, or EPA publications on appropriate monitoring for various types of control devices or capture systems). To justify the appropriateness of the monitoring elements proposed, the owner or operator may rely in part on existing applicable requirements that establish the monitoring for the applicable pollutant-specific emissions unit or a similar unit. If an owner or operator relies on presumptively acceptable monitoring, no further justification for the appropriateness of that monitoring should be necessary other

than an explanation of the applicability of such monitoring to the unit in question, unless data or information is brought forward to rebut the assumption. Presumptively acceptable monitoring includes:

(A) Presumptively acceptable or required monitoring approaches, established by the Division in a rule that constitutes part of the applicable implementation plan required pursuant to title I of the Act, that are designed to achieve compliance with this section for particular pollutant-specific emissions units;

(B) Continuous emission, opacity or predictive emission monitoring systems that satisfy applicable monitoring requirements and performance specifications as specified in Chapter 7, Section 3(c)(iv);

(C) Excepted or alternative monitoring methods allowed or approved pursuant to Chapter 11, Section 2(b), Acid Rain, Continuous emission monitoring;

(D) Monitoring included for standards exempt from this section pursuant to Chapter 7, Section 3(b)(ii)(A)(I) or (VI) to the extent such monitoring is applicable to the performance of the control device (and associated capture system) for the pollutant-specific emissions unit; and

(E) Presumptively acceptable monitoring identified in guidance by EPA. Such guidance will address the requirements under Chapter 7, Section 3(d)(i),(ii) and (iii) to the extent practicable.

(iii) (A) Except as provided in Chapter 7, Section 3(d)(iv), the owner or operator shall submit control device (and process and capture system, if applicable) operating parameter data obtained during the conduct of the applicable compliance or performance test conducted under conditions specified by the applicable rule. If the applicable rule does not specify testing conditions or only partially specifies test conditions, the performance test generally shall be conducted under conditions representative of maximum emissions potential under anticipated operating conditions at the pollutant-specific emissions unit. Such data may be supplemented, if desired, by engineering assessments and manufacturer's recommendations to justify the indicator ranges (or, if applicable, the procedures for establishing such indicator ranges). Emission testing is not required to be conducted over the entire indicator range or range of potential emissions.

(B) The owner or operator must document that no changes to the pollutant-specific emissions unit, including the control device and capture system, have taken place that could result in a significant change in the control system performance or the selected ranges or designated conditions for the indicators to be monitored since the performance or compliance tests were conducted.

(iv) If existing data from unit-specific compliance or performance testing specified

in Chapter 7, Section 3(d)(iii) are not available, the owner or operator:

(A) Shall submit a test plan and schedule for obtaining such data in accordance with Chapter 7, Section 3(d)(v); or

(B) May submit indicator ranges (or procedures for establishing indicator ranges) that rely on engineering assessments and other data, provided that the owner or operator demonstrates that factors specific to the type of monitoring, control device, or pollutant-specific emissions unit make compliance or performance testing unnecessary to establish indicator ranges at levels that satisfy the criteria in Chapter 7, Section 3(c)(i).

(v) If the monitoring submitted by the owner or operator requires installation, testing, or other necessary activities prior to use of the monitoring for purposes of this part, the owner or operator shall include an implementation plan and schedule for installing, testing and performing any other appropriate activities prior to use of the monitoring. The implementation plan and schedule shall provide for use of the monitoring as expeditiously as practicable after approval of the monitoring in the Chapter 6, Section 3 operating permit pursuant to Chapter 7, Section 3(f), but in no case shall the schedule for completing installation and beginning operation of the monitoring exceed 180 days after approval of the permit.

(vi) If a control device is common to more than one pollutant-specific emissions unit, the owner or operator may submit monitoring for the control device and identify the pollutant-specific emissions units affected and any process or associated capture device conditions that must be maintained or monitored in accordance with Chapter 7, Section 3(c)(i) rather than submit separate monitoring for each pollutant-specific emissions unit.

(vii) If a single pollutant-specific emissions unit is controlled by more than one control device similar in design and operation, the owner or operator may submit monitoring that applies to all the control devices and identify the control devices affected and any process or associated capture device conditions that must be maintained or monitored in accordance with Chapter 7, Section 3(c)(i) rather than submit a separate description of monitoring for each control device.

(e) Deadlines for submittals.

(i) Large pollutant-specific emissions units. For all pollutant-specific emissions units with the potential to emit (taking into account control devices to the extent appropriate under the definition of this term in Chapter 7, Section 3(a) the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, the owner or operator shall

submit the information required under Chapter 7, Section 3(d) at the following times:

(A) On or after April 20, 1998, the owner or operator shall submit information as part of an application for an initial Chapter 6, Section 3 operating permit if, by that date, the application either:

(I) Has not been filed; or

(II) Has not yet been determined to be complete by the Division.

(B) On or after April 20, 1998, the owner or operator shall submit information as part of an application for a significant permit revision under Chapter 6, Section 3, but only with respect to those pollutant-specific emissions units for which the proposed permit revision is applicable.

(C) The owner or operator shall submit any information not submitted under the deadlines set forth in Chapter 7, Section 3(e)(i)(A) and (B) as part of the application for the renewal of a Chapter 6, Section 3 operating permit.

(ii) Other pollutant-specific emissions units.

For all other pollutant-specific emissions units subject to this part and not subject to Chapter 7, Section 3(e)(i), the owner or operator shall submit the information required under Chapter 7, Section 3(d) as part of an application for a renewal of a Chapter 6, Section 3 operating permit.

(iii) The effective date for the requirement to submit information under Chapter 7, Section 3(d) shall be as specified pursuant to Chapter 7, Section 3(e)(i)-(iii) and a permit reopening to require the submittal of information under this section shall not be required pursuant to Chapter 6, Section 3(d)(vii)(A)(I), provided, however, that, if a Chapter 6, Section 3 operating permit is reopened for cause by EPA or the Division pursuant to Chapter 6, Section 3(d)(vii)(A)(III) or (IV), the applicable agency may require the submittal of information under this section for those pollutant-specific emissions units that are subject to this part and that are affected by the permit reopening.

(iv) Prior to approval of monitoring that satisfies this part, the owner or operator is subject to the requirements of Chapter 6, Section 3(h)(i)(C)(I)(2.).

(f) Approval of monitoring.

(i) Based on an application that includes the information submitted in accordance with Chapter 7, Section 3(e), the Division shall act to approve the monitoring submitted by the owner or operator by confirming that the monitoring satisfies the requirements in Chapter 7, Section 3(c).

(ii) In approving monitoring under this section, the Division may condition the approval on the owner or operator collecting additional data on the indicators to be monitored for a pollutant-specific emissions unit, including required compliance or performance testing, to confirm the ability of

the monitoring to provide data that are sufficient to satisfy the requirements of this part and to confirm the appropriateness of an indicator range(s) or designated condition(s) proposed to satisfy Chapter 7, Section 3(c)(i)(B) and (C) and consistent with the schedule in Chapter 7, Section 3(d)(v).

(iii) If the Division approves the proposed monitoring, the Division shall establish one or more permit terms or conditions that specify the required monitoring in accordance with Chapter 6, Section 3(h)(i)(c)(I). At a minimum, the permit shall specify:

(A) The approved monitoring approach that includes all of the following:

(I) The indicator(s) to be monitored (such as temperature, pressure drop, emissions, or similar parameter);

(II) The means or device to be used to measure the indicator(s) (such as temperature measurement device, visual observation, or CEMS); and

(III) The performance requirements established to satisfy Chapter 7, Section 3(c)(ii) or (iv), as applicable.

(B) The means by which the owner or operator will define an exceedance or excursion for purposes of responding to and reporting exceedances or excursions under Chapter 7, Section 3(g) and (h). The permit shall specify the level at which an excursion or exceedance will be deemed to occur, including the appropriate averaging period associated with such exceedance or excursion. For defining an excursion from an indicator range or designated condition, the permit may either include the specific value(s) or condition(s) at which an excursion shall occur, or the specific procedures that will be used to establish that value or condition. If the latter, the permit shall specify appropriate notice procedures for the owner or operator to notify the Division upon any establishment or reestablishment of the value.

(C) The obligation to conduct the monitoring and fulfill the other obligations specified in Chapter 7, Section 3(g) through (i).

(D) If appropriate, a minimum data availability requirement for valid data collection for each averaging period, and, if appropriate, a minimum data availability requirement for the averaging periods in a reporting period.

(iv) If the monitoring proposed by the owner or operator requires installation, testing or final verification of operational status, the Chapter 6, Section 3 operating permit shall include an enforceable schedule with appropriate milestones for completing such installation, testing, or final verification consistent with the requirements in Chapter 7, Section 3(d)(v).

(v) If the Division disapproves the proposed monitoring, the following applies:

(A) The draft or final permit shall include, at a minimum, monitoring that satisfies the

requirements of Chapter 6, Section 3(h)(i)(C)(I)(2.);

(B) The Division shall include in the draft or final permit a compliance schedule for the source owner to submit monitoring that satisfies Chapter 7, Section 3(c) and (d), but in no case shall the owner or operator submit revised monitoring more than 180 days from the date of issuance of the Chapter 6, Section 3 operating permit; and

(C) If the source owner or operator does not submit the monitoring in accordance with the compliance schedule as required in Chapter 7, Section 3(f)(v)(B) or if the Division disapproves the monitoring submitted, the source owner or operator shall be deemed not in compliance with Chapter 7, Section 3, unless the source owner or operator successfully challenges the disapproval.

(g) Operation of approved monitoring.

(i) Commencement of operation. The owner or operator shall conduct the monitoring required under this part upon issuance of a Chapter 6, Section 3 operating permit that includes such monitoring, or by such later date specified in the permit pursuant to Chapter 7, Section 3(f)(v).

(ii) Proper maintenance. At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.

(iii) Continued operation. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(iv) Response to excursions or exceedances.

(A) Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing

emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable.

(B) Determination of whether the owner or operator has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

(v) Documentation of need for improved monitoring. After approval of monitoring under this part, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the Division and, if necessary, submit a proposed modification to the Chapter 6, Section 3 operating permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

(h) Quality improvement plan (QIP) requirements.

(i) Based on the results of a determination made under Chapter 7, Section 3(g)(iv)(B), the Administrator or the Division may require the owner or operator to develop and implement a QIP. Consistent with Chapter 7, Section 3(f)(iii)(C), the Chapter 6, Section 3 operating permit may specify an appropriate threshold, such as an accumulation of exceedances or excursions exceeding 5 percent duration of a pollutant-specific emissions unit's operating time for a reporting period, for requiring the implementation of a QIP. The threshold may be set at a higher or lower percent or may rely on other criteria for purposes of indicating whether a pollutant-specific emissions unit is being maintained and operated in a manner consistent with good air pollution control practices.

(ii) Elements of a QIP.

(A) The owner or operator shall maintain a written QIP, if required, and have it available for inspection.

(B) The plan initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

(I) Improved preventive maintenance practices.

(II) Process operation changes.

(III) Appropriate improvements to control methods.

(IV) Other steps appropriate to correct control performance.

(V) More frequent or improved monitoring (only in conjunction with one or more steps under Chapter 7, Section 3(h)(ii)(B)(I)-(IV)).

(iii) If a QIP is required, the owner or operator shall develop and implement a QIP as expeditiously as practicable and shall notify the Division if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.

(iv) Following implementation of a QIP, upon any subsequent determination pursuant to Chapter 7, Section 3(g)(iv)(B), the Administrator or the Division may require that an owner or operator make reasonable changes to the QIP if the QIP is found to have:

(A) Failed to address the cause of the control device performance problems; or

(B) Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(v) Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act.

(i) Reporting and recordkeeping requirements.

(i) General reporting requirements.

(A) On and after the date specified in Chapter 7, Section 3(g)(i) by which the owner or operator must use monitoring that meets the requirements of this part, the owner or operator shall submit monitoring reports to the Division in accordance with Chapter 6, Section 3(h)(i)(C)(III).

(B) A report for monitoring under this part shall include, at a minimum, the information required under Chapter 6, Section 3(h)(i)(C)(III) and the following information, as applicable:

(I) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

(II) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

(III) A description of the actions taken to implement a QIP during the reporting period as specified in Chapter 7, Section 3(h). Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

(ii) General recordkeeping requirements.

(A) The owner or operator shall comply with the recordkeeping requirements specified in Chapter 6, Section 3(h)(i)(C)(II). The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to Chapter 7, Section 3(h) and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under this part (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

(B) Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements.

(j) Savings provisions.

(i) Nothing in this part shall:

(A) Excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act. The requirements of this part shall not be used to justify the approval of monitoring less stringent than the monitoring which is required under separate legal authority and are not intended to establish minimum requirements for the purpose of determining the monitoring to be imposed under separate authority under the Act, including monitoring in permits issued pursuant to Chapter 6, Section 2. The purpose of this part is to require, as part of the issuance of a permit under Chapter 6, Section 3, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of this part.

(B) Restrict or abrogate the authority of the Administrator or the Division to impose additional or more stringent monitoring, recordkeeping, testing, or reporting requirements on any owner or operator of a source under any provision of the Act, including but not limited to sections 114(a)(1) and 504(b), or state law, as applicable.

(C) Restrict or abrogate the authority of the Administrator or Division to take any enforcement action under the Act for any violation of an applicable requirement or of any person to take action under section 304 of the Act.

